

BRITISH DIPLOMACY IN ASIA

PERSIAN GULF, SOVIET CENTRAL ASIA,
TIBET, CHINA, INDIA AND BURMA

Mahavir P. Srivastava
Ph D. D. Litt



Ess Ess PUBLICATIONS
NEW DELHI-110002

© M.P. Srivastava
First Published 1978

Rs. 75.00

*Published by Sheel Sethi (Mrs.) for Ess Ess PUBLICATIONS,
4837/24, Ansari Road, New Delhi-110002 and
Printed by Cameo Prints, Sarai Rohilla DELHI-110035*

TO
MY MOTHER

ACKNOWLEDGEMENT

The work has been built up on the basis of documents available in the National Archives of India. Some of the original documents in the National Archives of India have been very helpful. I express my deep gratitude to the staff of the National Archives, who have been helpful to me.

I am really very grateful to a number of Professors of different universities who have been very kind enough in giving their, valuable suggestions, whenever I have consulted them. I am also grateful to my old mother, who has often been inspiring me to write on the diplomacy of the British.

I also express my gratitude to the Publishers, who have kindly consented to publish this work.

M.P. Srivastava

New Delhi

CONTENTS

Introduction	1
British-Soviet Central Asian Affairs	13
British Extra-Territorial Jurisdiction on the Persian Coast and Islands	42
British Relations with the 'Trucial Chiefs' of the Persian Gulf 1860-1907	83
British Chinese Diplomacy	108
British Burmese Affairs	123
British Indian Affairs	142
British Imperial Defence in South Asia	174
Secret Papers	201

INTRODUCTION

During the last quarter of the nineteenth century, British imperial gains were at its climax and the Union Jack claimed salutes in all the continents of the world. Asian affairs particularly around the British Indian Empire continued to engage the British sufficiently in their diplomatic exercises for the so called 'Commercial' but 'strategic' reasons. 'Commerce' had been the strategy of British 'infiltration' followed by 'annexation' of the territories all over the world. The annexation of territories was followed by an immediate problem of the consolidation of gains which involved threats from other powers. In Asia, the British Indian Empire was the highest imperial achievement and to preserve and consolidate this achievement from internal revolt (freedom struggle) or external aggression was one of the greatest strategic concerns of British foreign office and of British cabinet. The existence of a separate Secretary of State for Indian affairs, in the British Cabinet, evidences the extent of British strategic concern over Indian and the neighbouring affairs of which the Persian Gulf, Soviet Central Asia, Tibet, China and Burma each were singularly important.

Lord Dufferin was the Viceroy and Governor General of India from December 1884 to December 1888. He belonged to the landed gentry of Ireland and was a personal friend of almost all the eminent statesmen of Europe including Prince Bismarck, Lord Salisbury, Mr. Gladstone, the Tsar of Russia, Napoleon III etc. He was one of the most experienced diplomats and statesmen ever sent by England to India. As Governor General of Canada (July 1872 to July 1876), he had experienced and matured in the tasks of administration and racial harmony and had distinguished himself in settling the affairs of British Columbia (1876 to 1878). He had been Ambassador to Russia (February 1879 to April 1881) and to Constantinople (June

1881 to September 1882), where he had represented the interests of England on the Eastern Question. As Ambassador in Egypt (October 1882 to September 1884), he had been entrusted with a task that had been continually imposed upon the British Government in India, i.e., "the task of reforming and reconstructing, under European superintendence, the dilapidated fabric of an oriental state".¹

In India, Lord Dufferin was confronted with the problems of Russian strategic designs in Afghan territories, posing a direct threat to the British Indian Empire. During the last quarter of the nineteenth century, the question of the defence of India had thus become a matter of great importance as a result of the Anglo-Russian rivalry, in order to exercise greater British control over the affairs of Central Asia; and which continued to cause alarm and required the utmost of the British diplomacy to find out a convenient solution. The British had aspired for a definite and immediate control of Russian advance and her 'designs' in Central Asia. It was this attitude of Russia, in order to extend her influence southward and her 'ambitions' both in Persia and Afghanistan, that the relations of the Government of British India with the Central Asian states, including Afghanistan, had become of singular significance. The basic question with the British was whether the disputed frontier should be further extended to a convenient position, from where the Russian movement to the south could be controlled, or it should be kept a status-quo.

Soon after the fall of Samarkand, in 1868, Lord Lawrence, the then Viceroy of India, had suggested the British Government to come to an understanding with the Russians.² The question was again taken up during the Viceroyalty of Lord Mayo. In 1869, Lord Clarendon had emphasised on the 'necessity of some neutral territory between the territorial possessions of the British and the Russians in Central Asia',

-
1. Lyall, Sir Alfred: *Life of the Marquis of Dufferin and Av*, Vol. II, page 72.
 2. Parliamentary Paper 1878, Afghanistan No. 1, (1870), p. 61. Memorandum dated Calcutta, 25th Nov. 1868.

and which should be mutually accepted as the limit of these possessions. Prince Gortchakow had assured that Afghanistan would be considered outside the sphere, within which Russia might be called upon to exercise her influence. Although this had satisfied the British diplomats, yet he was doubtful if Afghanistan could possibly provide for such a neutral zone between the two powers. When Lord Clarendon had met Prince Gortchakow at Heidelberg, the 'question of a neutral zone between the two Empires' was again discussed inconclusively, since the frontier of Afghanistan was not well-defined. With the efforts of Douglas Forsyth,¹ the two Governments had agreed to exert their influence in their respective spheres to maintain peace in Central Asia, and that Afghanistan should be regarded as comprising of the territories, which were then in the actual possession of Sher Ali. The Russian Government, however, commissioned General Kaufmann² to ascertain the exact limits of Sher Ali's possession, but as the British Government had insisted on Sher Ali's possessions, coinciding with those of his father Dost Mohammad, Prince Gortchakow had refused to accept it.³

The historically known Clarendon-Gorchakoff of 1872-1873, which was concluded without any reference to Amir, was considered of historic significance for the British since Russia had accepted a certain definition of the territorial limits of Afghanistan. Abdul Rahman, the new Amir of Afghanistan, had doubts about both the Russian and British ambitions on the taking his country as a goat between the lion and the bear⁴ he wanted his frontiers should be clearly marked out with the influence of the British Government, since, according to him, there existed a 'community of interests' between them.⁵ The British

-
1. He was deputed by the British Government to St. Petersburg to discuss the question with the Russian authorities.
 2. He was the Governor General of Russian Turkistan.
 3. Parliamentary Paper—Central Asia (C-704), p. 56.
 4. Mir Munshi Sultan Mohammad Khan, *Life of Abdur Rahman*, Vol. II, p. 150.
 5. Foreign Deptt. Progs., April 1883, Secret External, K.W from Secretary H.M. Durand.

were diplomatically scared of the fact that, if the frontier was not defined, Russia would avail of the opportunity to advance from the neighbourhood of Herat, Maimana and Balkh line. Lord Ripon had also suggested that 'the vagueness of frontier from Herat to Oxus was an opportunity for the Russians to encroach upon the territories of Amir, and assured the Amir that Her Majesty's Government would not allow interference, by any foreign power, with the internal or external affairs of Afghanistan.¹

The fact was that about the northern frontiers of Afghanistan, neither England nor Amir Abdur Rahman² had any definite knowledge because, in Central Asia, ethnographical conditions were subject to frequent changes particularly because 'the predatory Turkomans were intent upon availing themselves of the disturbances in neighbouring territories for fresh gains elsewhere'. Upto 1883, Amir Abdur Rahman had failed to maintain law and order out of the confusion that had prevailed all over Afghanistan since the Second Afghan War. Lord Ripon had suggested for a clear demarcation of the frontier, and the conclusion of a treaty between England and Russia, in order to refrain the Russians from any interference in the affairs of Afghanistan. Lord Ripon's views were given full weight in London, but the British Government had not felt it expedient to enter into much negotiations. But though Lord Ripon had failed to secure the assent of the British Government, he was successful at least in securing, for the Amir, an annual subsidy of twelve lakhs of rupees to enable him to consolidate his position in Afghanistan.

Meanwhile, in February 1884, the Merv Turkomans made their submission to Russia and the Tsar had accepted them as his subjects. Merv was considered by British military experts as a place of great strategic importance.³ and according to British the Russian Government had repeatedly declared Merv

1. Foreign Dep't. Progs., March 1884, Secret F., Cons. 142.

2. Foreign Dep't. Progs., July 1883, Sec. External Cons. 94; For. Dep't. Progs., March 1884, Secret External Cons. 196.

3. Parliamentary Papers, 1884, Central Asia, No. 1, (C-3930), p. 119.

outside their range of influence.¹ So the fall of Merv had caused a 'big surprise' and had 'sent a thrill', down the hearts of the Russiophobists in England'. In England, the sentiments against Russia had become strong, where there had existed a special concern for the fate of Merv. The Duke of Argyll was pleased to call it. 'Mervousness'.² The Russian Government had, however, justified its action in Merv, in seeming contravention of its repeated promises, by the declaration that the Merv chiefs had themselves requested the protection of Russia, and Russian had, in turn, exercised their freedom of decision in accepting their 'preferred submission'.³

On the east of British Indian Empire, the troubles, which arose between the British and the Kingdom of Upper Burma, had led to the annexation of the latter by the former. The kingdom of Burma and British India had started developing frictions after 1784, when a common frontier was established between Burma's Arakan province and British administered Chittagong. For about a quarter of a century difficulties relating to mutual border were settled, with least trouble on either side, but the relations had again worsened after 1811 and had eventually reached the breaking point in the mid twenties. In the first Anglo-Burmese War of 1824-26, a British expeditionary force, had been transported by sea to Rangoon, and had advanced on the Burmese capital and imposed the 'punitive peace' of Yandabo. The British had compelled the Burmese to pay an indemnity of ten million rupees to

-
1. Vamberg, Arminius, *The coming struggle for India*, pi. 51. The author calls attention to the fact that all the Asiatic Conquerors, who burst forth from Central Asia with the open intention to attack and conquer India previously occupied Merv' and gives the opinion of a number of prominent English officers in support of his own estimate of the importance of the basis.
 2. As late as 1882 M. de Giers had assured Sir Edward Thornton 'not once but several times . . . that Russia had no intention, whatever, at present of advancing towards sarakhs of Merv, or of occupying with her forces any territory in that region beyond what was already in her possessions Thornton to Granville, April 29, 1882, Parliamentary Papers, 1884, Central Asia, No. 2, p. 13.
 3. Granville to Thornton, Foreign Office, Feb, 28, 1884, p. 6, Central Asia, No. 2 (1885).

abandon its claim to border states of India and its right to make war on Siam, and also to cede to the British the coastal provinces of Arakan and Tenassarim. Intervention in Burma followed intensively after the British annexation of the lower Irrawaddy valley in 1852. The second Burmese War was as a result of the resentment over the exaction, in late 1851, of a sum of one thousand rupees by the Myowun of Pegu and Rangoon from the captains and crews of two British vessels for alleged violation of port rules.

After the Second Burmese War of 1852, the British had established their complete supremacy over lower Burma, and the kingdom of Ava or the Upper Burmese Government had become a purely inland territory. The British had sent a special mission to Amarpura, But no real diplomatic representation of the Government of India was resumed till many years afterwards. In 1862, Sir Arthur Phyre, the first Chief Commissioner of British Burma, had successfully negotiated a new commercial treaty with King Mindon at Mandalay, the capital of the Kingdom of Ava. To promote trade, the British had in return abolished certain custom duties which were earlier levied on the southern side of the frontier. The Burmese, however, had been reluctant to implement on their part, the arrangements arrived at by the treaty of 1862. The British Indian Government intimated to the court of Ava that they would restore the frontier duties unless negotiations were entered into for a next treaty. Thus a new commercial treaty was, however, again concluded by Col. Fytche in 1867. This new treaty awarded to the British several valuable commercial arrangements and conferred on the British Residents certain powers to watch British interests by securing for them civil jurisdiction over cases concerning British subjects in Avan territory. To the advantage of the British it also provided for a political agent, being stationed at Bhamo, the northern city and province of Upper Burma. Through Bhamo, the bulk of trade with the Chinese province of Yunnan was carried on. As a result of this convention, the British Indian Government was continuously represented by a Resident at Mandalay from 1867 to 1879. However, owing to the increasing British intervention in the internal and external affairs of the Royal

Regime, neither the political nor commercial relations were satisfactory. Concession to British traders, treatment of British subjects, and certain territorial disputes, although they varied in urgency, were the important causes of protracted Anglo-Burmese rivalry. In May 1883, the Court of Ava despatched a Mission to Europe for seeking 'commercial and political allowances and agreements' with foreign powers. This came into strategic conflict with the established British interests.¹ So long as the kingdom of Ava had occupied an isolated position, its overt unfriendliness was satisfying to the British, but when once the external policy of the Burmese began to exhibit 'designs', which might result in the establishment of preponderating foreign influence at the Court of Ava, the British got concerned. In the diplomatic conversations, held between Lord Lyons, the British Ambassador, and the French Minister for Foreign Affairs Jules Ferry, the British tried to impress the French Government on the objections entertained by the British Cabinet, to the conclusion of a purely commercial agreement with King Thibaw.² In fact the British authorities desired that facilities should not be given to the Burmese for the purchase of arms. They also pointed out that, owing to the geographical position of Upper Burma and of British India's political relations with that country, the affairs of the Kingdom of Ava were of utmost concern to the British Government, whereas to the French they could only be of secondary interest.³ The Third Burmese War (1885-86), which was precipitated by Lord Dufferin on a quarrel between the Burmese Government and the British-Burma Trading Corporation, resulted in the extinction of the Royal Burmese regime and the incorporation of Upper Burma as a province of British India.

On British India's northern and the north-eastern frontier, opening Tibet for British commerce and trade had often engaged the attention of the British Government and the British

1. Foreign Deptt. Progs., July 1883, Secret Ext., Cons. 128-136.

2. Foreign Deptt. Progs., May 1884, Pol. E., Cons. 380-86.

3. *Ibid.*

Indian Government for a long time. During the eighteenth century, first under Kang Hsi and then under Chien Lung, the Chinese had established a protectorate over Tibet, which had culminated into the revolution of 1751, when the last of the Tibetan rulers was removed. Since then the Dalai Lama had become the Tibetan ruler in temporal as well as religious matters. A Chinese Resident, or Amban was stationed in Lhasa to look after the Chinese superintendence over Tibet.

The British were keen on the possibilities of the commercial trade with Tibet from the moment they had entered India, but they took no steps to develop trade across the Himalayas till they had consolidated their gains in South Asia. To explore the possibilities, the British Indian Government had been trying to open the trade routes to Tibet, and the Sikkim route to Tibet was being explored. Plans had often been suggested for a Burma-Yunnan road, and in this way the British got an opportunity for a general revision of British diplomatic relations with China. The British considered it as requisite for any Chinese cooperation in opening Tibet for British trade. In 1874, an exploring mission was sent across the Burma-Yunnan border under the command of Col. Browne. A.R. Margary was included to act as Chinese interpreter for the mission. Margary was, however, murdered in 1875, while travelling in Yunnan, and the British believed that the local Yunnan Government had some complicity with his death. However, the Margary Affair constituted one of those important incidents which directed the course of development of the Sino-British relations in the nineteenth century. However, an immediate outcome was the negotiation at Chefoo in the summer of 1876.

The British diplomacy was to obtain, from the Chinese, one of the land routes between India and China. Thus a 'Seperate Article' of the Chefoo convention contained the provisions for the sending of British commercial missions both to Lhasa and to Chinese Turkestan. The Tibetans, however, got alarmed with this 'Separate Article' of the Chefoo Convention, when they had learnt for them Amban. The Tibetans belied that a mission, so authorised by the Chinese, would proceed immediately. The British continued to pressurise the Yamen

on the right of the Europeans to enter Tibet after the Chafsoo Convention. The British, however, found themselves obliged to enter Tibet for their commercial interests. The establishment of a Consular official at Chungking in 1877 had made the collection of intelligence about Tibet much easier for the British. Baber, for example, visited Tachienlu, in 1878, and his successors Alexander Hosie did the same in 1882. In 1885 Chungking was opened to foreign trade and a full British Consulate was established there. The regular Consular reports from there provoked the British for the trade and the politics of Tibet

China, at this time, was in a critical process of disintegration due to the multifarious imperialist interests of the Western Powers. The exploitation had also weakened enough resources of the Chinese Empire, but her attitude still claimed traditional dignity and exhibited, on her own part, a sense of superiority in her dealings with the foreign powers. With the British, however, diplomatic commercial intercourse had preceded territorial acquisitions, and the southern-most part of the Chinese Empire, including Tibet, had been, for long, an illusion to the British Foreign Office. The Tibet-Nepalese crisis, which had broken out during the Great Prayer festival in the spring of 1883, had led to the unusual tension along the Tibeto-Bhutanese border. To the British the impact of these tensions was to make trade with Tibet subject to unusual restrictions. Contacts had already been established with Tashilhumpo and the Bengal Government in October 1884, suggested to depute Coleman Macaulay to visit Tibet. Of the several aspects of the British Indian administration, the Mutiny had left behind its deep impact on army, particularly on the need of reorganisation, as laid down by the Peel Commission in 1859, were based on the lessons Mutiny of 1857, which had continued to guide the military policy of the British Government for more than half a century. In his minute of 8 December 1888, Lord Dufferin had emphasised that the British 'should always remember the lessons which were learnt with such terrible experience thirty years ago !

The Peel Commission had recommended the proportion of Indians and Europeans at not more than two to one for Bengal and not more than three to one for Madras and Bombay,

and this particular recommendation of the Commission was subsequently regarded as an important one. Even after twenty years, when the conditions had altogether changed owing to swifter communications, the Army Commission of 1879 had not recommended even the slightest reduction in the proportion of Europeans. Even in 1885, when the army was increased under the pressure of Russian advance from the North-west, the proportion was strictly maintained by fixing the strength of Europeans at 10,657 out of the total increase of 27,000. The establishment of the three separate armies with their own Commanders-in-Chief, under the administrative control of the Presidency Governments, was probably necessitated by the expansion of the British Empire from three bases, separated from each other by intervening Indian states. The Mutiny itself had rather strengthened than weakened the cause of the Presidential system. The Army Commission of 1879 had recommended their abolition on several grounds; partly the system was complicated and expensive, partly the Government of India's responsibility for the final decision of all great military questions called for a centralised administration, and partly that the provincial governments should not be invested with military administration etc. The Army Commission of 1879 had also recommended their replacement separate and by four distinct bodies, each to be commanded by a Lt. General, and at all places under central control. Lord Ripon had supported the Army Commission's proposals and had suggested (1) direct control of Commander-in-Chief in India over the Madras and Bombay Armies, (2) the Commander-in-Chief in India to be relieved of the direct control over the Bengal Army and (3) the command of the Bengal Army to be placed under two Lt. Generals. With a view to provide a 'complete safeguard' against mutiny the Peel Commission had suggested that the army should be composed of different nationalities and castes. Before the Mutiny, almost the whole of the infantry was taken from the North-Western Provinces and Oudh, but under the scheme of reorganisation it had been subjected to a large reduction.

At this time, the Military Department was in the charge of the Military Member of the Governor-General's Council. The

Department was organised for administrative purposes into three main divisions. The First Division, under the First Deputy Secretary, dealt with appointments, commands, promotions, field operations, intelligence, organisation, Engineers, Artillery, pensions, retirement etc. The Second Division under the Second Deputy Secretary, dealt chiefly with questions connected with administrative departments. The Third Division under Accountant General and Deputy Secretary for Finance dealt with the financial subjects of the Military Department. Basically the Military had to deal with the mobilisation of the army, reorganisation of staff and army departments, harbour defence, questions of accounts with India or the War Office, military police, inspection, supply, transport, clothing and equipment of the army etc.

The recruitment for the Indian Civil Service and the appointment of Indians of proved merit and ability in the Civil Service had engaged the attention of the British in India. The rules framed in 1879 had come under consideration towards the close of Lord Ripon's administration'.¹ Lord Ripon, who had consulted the local governments on the subject of improving the existing rules, had forwarded a minute recommending that the age limit at the open competitive examination should be raised.² Lord Ripon, had pointed out that the two methods, by which the Indians could enter the civil service of the Crown in India, were by success in the London competition or by appointment under the rules of 1879 as Statutory Civilians. He had emphasised that the two methods should be considered together and the latter be regarded as supplementary to the former.³ The changes proposed by Lord Ripon were particularly intended to regulate the admission of natives of India to that service; and in particular to give additional facilities for their admission

-
1. Minute dated 10 July 1884 of Sir Alfred Lyall, Home Deptt, (Pub.) *Letters from India*, 1884, 871-75.
 2. Minute dated 26 Sept. 1883, and 12 Sept. 1884 from the Viceroy to the Secretary of State.
 3. *Ibid.*

through the competitive examination in London.¹ Thus Lord Ripon was fully aware of the strategic need of maintaining a strong British faction in the Covenanted Service in as much as he was not in favour of simultaneous examinations and of the admission of Indians beyond 18 percent.

Reform in the Legislative Councils was another important problem with which the British were confined, while dealing with internal administration of India. The Charter Act of 1833 had made the first attempt to differentiate the legislative from executive functions by providing for a fourth ordinary member, whose duties were solely legislative. The Indian Councils Act of 1861 had made a further advance in the direction. In 1881, Northbrook had suggested to Lord Ripon the advisability of giving a certain number of Indians in each Presidency the title of Councillor and consulting them upon all legislative matters affecting the country. Ripon had often lamented that the Council lacked a representative character and was not of enough help to the Governor General in ascertaining public opinion. Lord Ripon had recommended for the election of a certain number of members by the municipal committees of the principal towns in India and had suggested that the strength of the elected members was not to exceed ten, of whom three were to be appointed by the municipalities of Calcutta, Bombay and Madras and seven were to be elected by the municipalities of other towns selected by the Governor General in Council by an act of the legislative council. Lord Ripon had also recommended for reform of the provincial councils. Lady Dufferin, who had visited the Council Chamber, in March 1885, when the Bengal Tenancy Bill was under discussion, had recorded in her diary that the speakers in the council mostly read their speeches, the proceedings were dull, and it was not easy to hear them.²

1. Ibid.

2. The Marchioness of Dufferin, *Our Viceregal Life in India*, Vol. I, p. 73.

BRITISH-SOVIET CENTRAL ASIAN AFFAIRS

BRITISH AFGHAN DIPLOMACY AND THE SURRENDER OF PANJDEH TO RUSSIA

The Russian expansion in Central Asia had been a chronic concern of Great Britain in the latter half of the nineteenth century. Of late, the British Government had come to believe that the onward march of Russia towards the Afghan frontier could not be checked by force, and at best would only be retarded by diplomatic remonstrance. The Russian statesmen had often refused to bind themselves by any formal convention to stop short in the midst of Central Asian plains, declaring with much reason that the conditions and circumstances of such a position would always be liable to unforeseen vicissitudes. Yet in informal overtures to Great Britain they had constantly exerted for such friendly understanding as would enable the two powers to act in concert and to accommodate differences. To safeguard the limits of Afghanistan was a costly and embarrassing operation. Thus the British Government was of the view that the Russian expansion could effectively be arrested and limited only by obtaining her firm assent to a convention for the joint demarcation of the Afghan frontier, so that a line might be drawn, beyond which the British guarantee would not extend, and which Russia could not overstep without a patent breach or formal engagements. The occupation of Merv by Russia in 1884 was a forward movement that gave emphasis to this view and expedited a decision upon it.

The occupation of Merv had brought Russia into closer contact with the north-west frontier of Afghanistan. It had

even increased the necessity for finalising the strategy for the defence of Herat. For the British, the integrity and independence of Afghanistan was a necessity of vital importance. They were also committed to extend help the Amir of Afghanistan i.e. "so long as the Amir of Afghanistan consents to be guided by us in his foreign relations, we will support him by force or arms or otherwise against invasion." However, the British Government was well aware that to safeguard the limits of British protectorate, by sending armed troops into Afghanistan, was an embarrassing operation since for any offensive or defensive alliance, the ruler of Kabul was an unstable partner, who could easily play into the hands of Russia any time and involve Britain in awkward situation.

Lord Ripon had once recommended to the Secretary of State that Russia 'should be invited to agree to the appointment of a Joint Commission of Britain, Russian and Afghan Representatives for the purpose of marking out the frontiers of Afghanistan on the spot.'² Accordingly the British Ambassador at St. Petersburg, Sir Edward Thornton, was asked to ascertain the Russian reaction on a proposal for a Joint Commission to demarcate the Afghan frontier.³ The proposal was readily accepted and M. de Giers reminded to the British about the proposal, which the Russian Ambassador had put forward in 1882. That proposal had pleaded for the continuance of the line of demarcation from Khoja Saleh westward as agreed upon in 1872-73.⁴ Granville, however, promptly accepted the offer and suggested the appointment of a Joint Commission to start operations in the ensuing autumn.⁵

-
1. For. Deptt. Progs., Dec. 1884, Secret Ex., Cons. 391, Minute by Hon. J. Gibbs, 17 Sept. 1884, page 8.
 2. For. Deptt. Progs., May 1884, Secret E., Cons. 86.
 3. Ibid.
 4. Parliamentary Papers, 1884-1885, Central Asia No. 2, p. 19. Giers to Thornton March 29, 1884. Also For. Deptt. Progs., Secret Ex., Sept. 1885, Cons. 62, Thornton to Granville, March 12, 1884, p. 2.
 5. For. Deptt., Progs. Sept. 1884, Secret, Ex., Cons. 103. From Granville to Thornton, April 29, 1884; pp. 3-4.

The Russian Government was 'quite ready' to co-operate with the British Government in the work of delimitation, but found a number of objections to any immediate accomplishment of the task. It firmly opposed the British suggestion that an Afghan representative be included as a Member of the Commission,¹ objected to the suggested meeting at Sarakhs² and indulged in a lengthy correspondence stressing that "before sending the Commissioners to the place of their activities, the two Governments should exchange views on the general basis of the future delimitation, so as to prevent as far as possible the differences of opinion and misunderstandings, which might arise between the Commissioners and

-
1. Ibid, page 42, Giers to Thornton, May 3, 1884, Also For. Deptt. Progs., June 1884, Secret F, Cons. 152, From Sir E. Thornton to Granville, 17 May, 1884.
 2. Ibid, page 52, June 18. Also the British Government had proposed that the Commission should meet on the 1st Oct at Sarakhs on the left bank of the Heri Rud, which they wanted to be the starting point (For. Deptt. Progs., June 1884, Secret F. Cons. 1801. From Granville to Thornton, June 17, 1884), But M. de Giers saw no point in the commissioners meeting at Sarakhs. He was of the view that as Khoja Saleh was a point which had been agreed upon between the two Governments in 1872-73. (Central Asia No. 2 (1885). (C-4387), No. 56, From Sir E. Thornton to Granville, July 2, 1885, p.53). He argued that because greater difficulties were to be met within the Western part it would be still more desirable to begin, with eastern part (Central Asia No.2. 1885, (C-4387), No. 68, From Thornton to Granville, July 19, 1884).

The British Government had favoured the commission to begin the work of delimitation from the point where the Afghan frontier joins the Heri Rud and should then proceed to lay down the boundary from that point to Khoja Saleh, because the British Commissioners would pass through in order to arrive at Khoja Saleh; and that important interests were at stake in the western portion which might hinder a satisfactory settlement. (For. Deptt Progs., August 1884, Secret E, Cons. 109. From Sir E. Thornton to M. de Giers, 29 June, 1884, Also Central Asia No.2 (1885). (C-4387), From Sir E. Thornton to Granville, July 2, 1884, page 53. Enclosure No.66.

delay the progress of their labours.'"¹ What the Russian Government was probably pointing to, as disclosed later, was that an ethnical basis for the delimitation should be adopted rather than a geographical one. Besides, the Russian Government was keen on obtaining an approval of the British Government to this principle. The ethnical basis better suited the Russian interests, for, after the conquest of Tekke Turkomans, the Russians could reasonably contend that the tranquility of the Turkoman country was impossible of accomplishment unless all the Turkomans were brought under their control. Significantly, it was held that, should the Sarik population in the East remain independent or under Afghan rule, their 'nomade habits and plundering instincts, would certainly result in complications between Russia and Afghanistan, and render impossible a settled rule among those tribes which had already recognised Russian authority.'² But Granville was not inclined to adhere to the Russian stand as it could involve the alienation of the Sariks or of territories claimed by the Amir of Afghanistan. From this time till the Panjdeh incident there was a regular scramble for territorial acquisitions between the Afghans and the Russians, and the British Government was directly involved in it in order to protect the 'rightful' claims of her 'ally.'

With a view to secure a permanent agreement with Russia the British Government had appointed Major-General Sir Peter Lumsden as their commissioner. The Russian Government named General Zelenoi as his counterpart and informed the British Government that the extent of the zone should be

1. Ibid.

2. Parliamentary Papers, 1884-85, Central Asia No. 2, (C-4387), p. 148 (Enclosure in No. 182), The Russians wanted their outposts to be across the desert from Merv and as near as possible to Herat and they were determined that all Turkomans including the Sariks of Panjdeh should come under their control.

so defined, that it may be acceptable to the parties concerned.¹ The Russian Government, therefore, held that the two Governments should agree, before hand, upon a zone, within which a boundary should be laid down in general terms² and beyond which the Commission should not be allowed to extend their explorations.³ After a long correspondence which amounted to diplomatic delay, the British Government informed the Russian Government that they agreed on the desirability of a zone to be determined first, but stressed for the inclusion of an Afghan Representative in the Commission, as it could be difficult to prevent the Amir of Afghanistan and his officials from taking steps, which would seem to them necessary in order to safeguard their rights.⁴

Sir Peter Lumsden and his party arrived at the spot, as scheduled, but they did not find the Russian delegation there. Instead they found, at Pul-i- Khatun, some forty miles south of Sarakhs, a picket of Russian troops.⁵ Zelenoi's failure to arrive at the scheduled time was explained by the Russian

-
1. Sir Edward Thornton informed Granville that M. de Giers was in favour of the appointment of General Zelenoi as commissioner and that he had urged the advisability of the two Governments being agreed as to the nature of instructions to be given to their commissioners. On 16th July, Granville instructed Sir E. Thornton to inform the Russian Government officially of the appointment of Major General Sir Peter Lumsden as British Commissioner. Other members of British delegation were Colonel J. West Ridgeway, Foreign Under Secretary to the Indian Government. In the Russian group in addition to Zelenoi were Major Alikhanoff and M. Lessar. (For. Deptt. Progs., Secret F., Cons. 216—From Thornton to Granville, July 2, 1884, pp. 7 to 9, and For. Deptt. Progs., Secret F., August 1884, Cons. 212—From Granville to E. Thornton, July 12 1884).
 2. For. Deptt. Progs., Dec. 1884 Secret F., Cons. 352, From Granville to Sir E. Thornton, 10 Nov. 1884, p. 8.
 3. For. Deptt. Progs., Dec. 1884, Secret F., Cons. 146—From Granville to Thornton, Foreign Office, Ld. 12 Nov. 1884, p. 9.
 4. For. Deptt. Progs., Sept. 1885, Secret F., Cons. 345, From Granville to Sir Edward Thornton, 20 Nov. 1884. p. 21.
 5. Kimberley to Dufferin, 21 Nov. 1884, Dufferin Papers (Microfilm) Reel 516.

Government as being due to illness¹ (a strictly diplomatic one, as the British suspected).² Later, it was learnt that, since the season was unsuitable, nothing could possibly be done before the following spring.³ Sir Peter Lumsden however, complained that the delay in the meeting of Boundary Commissioners was leading to excitement among the Turkomans of Central Asia.⁴

While the protracted correspondence between London and St. Petersburg was going on over the principles and methods on which the work of the delimitation was to proceed, a serious controversy arose about the de-jure possession of Panjdeh-an oasis situated near the confluence of Murghab and Kushk. Panjdeh was a fertile land and the Afghans considered it to be within their own boundaries; while both Russia and England, for strategic and diplomatic reasons, had coveted eyes upon it. A 'diplomatic' rumour was circulated in June 1884 that Afghanistan was contemplating military occupation of Panjdeh.⁵ Russia, foiled by Britain with the connivance of Germany at the Berlin Congress in 1878, was keen to make good, in Central Asia, her losses in the near-east. After the successful occupation of Merv, Russia had her own designs on the neighbouring territories, and so warned the British Government to prevent⁶ the Amir (the protected ally) from any active interference in the affairs of the Sarik Turkomans, since the Russians considered them of Afghanistan. England refused (on the basis of the report from Colonel Stewart who was specially employed to collect information about Panjdeh)⁷ to agree to the Russian contention and

-
1. Ibid, Granville to Thornton, Oct. 24, 1884, p. 95.
 2. Parliamentary Papers, 1884-1885, Central Asia No. 2, C-4387), Sir P. Lumsden to Granville, Nov. 1884, p. 102
 3. Kimberley to Dufferin, 21 Nov. 1884, Dufferin Papers (Microfilm), Reel 516.
 4. Kimberley to Dufferin, 21 Dec 1884, 13 March 1885, Dufferin to Kimberley, 23 Dec. 1884, Dufferin Papers (Microfilm), Reel 516.
 5. For. Deptt. Progs., August 1884, Secret E., Cons. 76. Kimberley to Dufferin, 11 Dec. 1884, Dufferin Papers (Microfilm), Reel 516.
 6. Ibid.
 7. For. Deptt. Progs., July 1884, Secret E., Cons. 179.

stressed that Panjdeh was within Afghan territory and thus the Amir had every right to occupy it.¹ Provoked by the Afghan occupation of Panjdeh and Granville's defiance to allow the Sariks to accept her authority, Russia, as a measure of precaution, occupied Pul-i-Khatun, and reached subsequently up to Kushk. Further, she occupied Kizil Tapa and moved up the Kushk to Pul-i-Khisti. The Afghans further advanced north and occupied Sari Yaz, which lay on the upper course of Murghab.

The protracted boundary negotiations between Russia and England had ultimately reached a standstill because of the Afghan occupation of Panjdeh. The British and Russian claims and counter-claims over the territories of and around Panjdeh had created an atmosphere of mutual distrust and suspicion, and none of the parties could afford to risk a change in the circumstances, lest it should turn out advantageous to the other. General Zelenoi fell ill at the most opportune moment, and thus his illness was more likely to be of a diplomatic kind rather than anything else. In fact, in the diplomatic tussle, if England could take her own time to send Sir Peter Lumsden to Sarakhs,² there may be nothing wrong if the Russians had taken their own time to do so.³ Even on the 'Zone Question,' England submitted the proposal as late as March 13, 1885 in response to Russian proposal submitted to her on November 14/26, 1884.⁴ In fact it proved difficult for England to deal strategically with the Sariks, while Russia could well manoeuvre and benefit by the 'uncertain attitude of the tribe' and could successfully advantage at the appropriate moment.⁵

1. For. Deptt. Progs., August 1884, Secret E. Cons. 91, Kimberley to Dufferin, 25 Dec 1884, Dufferin Papers (Microfilm), Reel 516.
2. Parliamentary papers, 1885, Central Asia No. 2, (C-4387), p. 84. Kimberley to Dufferin, 13 Feb. 1885, Dufferin Papers (Microfilm), Reel 516.
3. For. Deptt. Progs., Secret F, March 1885, Cons. 40, Kimberley to Dufferin, 20 Mar. 1885, Dufferin Papers (Microfilm), Reel 516.
4. For. Deptt. Progs., Secret F, January 1885, Cons. 140.
5. Kimberley to Dufferin, 11 Dec. 1884, 13 Feb. 1885, 20 March, 1885, 7 May 1885, 4 June 1885, Dufferin Papers (Microfilm), Reel 516.

As a result of these developments, it proved difficult to find out a solution since with the rival claims on the basis of actual possession of territories both the Afghans and the Russians had extended their claims upon the debatable land between the Oxus and the Heri Rud. The Afghans had occupied Sari Yazi on the upper course of the Murghab, and the Russians had occupied Pul-i-Khatun and subsequently encroached upon the Kushk. The Russians then occupied Kizil Tapa and even moved up the Kushk to Pul-i-Khisti. The Russians firmly refused to withdraw from these positions where there proximity to the Afghan troops caused the British Government diplomatic embarrassment and apprehension of skirmishes. The British Government wrote to the Amir persuading that, until an agreement was reached, the Afghans should not attack Russian troops, in order to dislodge them from the positions they had occupied.¹ Mr. de Giers almost assured Thornton that an embarrassment could be avoided if the Afghans did not attack the Russians and emphasised that strict orders had already been sent to the Russian officers in command to restrain from any such action which could cause a conflict.² It was thus agreed between the two Governments that their forces would not move towards strategic points in the debatable land.³

Thus the developments by March 1885, had become very crucial. At Pul-i-Khisti, the Afghan and the Russian armies were only at a distance of one mile from each other. Queen Victoria intervened at this stage to prevent a conflict by her good offices and telegraphically asked Tsar Alexander to make

-
1. For. Deptt. Progs., Sept. 1885, Secret F., Cons. 15. From Granville to Thornton, March 1, 1885; Kimberley to Dufferin, 6 March 1885, Dufferin Papers (Microfilm), Reel 516.
 2. For. Deptt. Progs., Sept. 1885, Secret F., Cons. 265, From Thornton to Granville March 9, 1885; Kimberley to Dufferin, 23 March 1885, Dufferin Papers (Microfilm), Reel 516.
 3. For. Deptt. Progs., Sept. 1885, Secret F., Cons. 24, From Thornton to Granville, March 14, 1885, Dufferin to Kimberley, 30 March 1885; Kimberley to Dufferin, 20 March 1885. Dufferin Papers (Microfilm), Reel 516.

everything possible to avoid the difficult situation that might provoke an engagement between the Russian and Afghan troops.¹ Sir Edward Thornton warned Giers that a Russian attack on Panjdeh may put an end the possibility of negotiations between the two countries, and might lead to unfortunate consequences. He emphasised that any attempt, on the part of the Russian troops, to approach or occupy Herat, may be considered by the British as equivalent to a declaration of war. The Indian Government also received instructions from the London Government to have an army corps in readiness to defend Herat, should the course of events justify such action.² Sir Peter Lumsden was also informed that the Government held that any further advance of the Russian troops should be resisted by force by the Afghans.³

The Russians made a survey in the neighbourhood of Kizil Tapa as a precaution against any more Afghan encroachments on the controversial land as a means of their own strategy, a mound on the left bank of the Kushk, which, according to them, was already in their possession. However, during the cause of the survey they found sufficient Afghan armed forces which had been posted at different strategic places.⁴ Thus as a counter precaution, the Afghan also reinforced their posts on the left bank of Kushk and the right bank of Murghab,⁵ and thus the Afghan forces faced the Russians. In these state of affairs, General Komaroff suggested to Captain Yate to withdraw the Afghans from the outer posts, but the Afghans immediately retaliated with an insulting reply. Komaroff again wrote to the Afghan Commander demanding the evacu-

1. Kimberley to Dufferin, 20 March 1885. Dufferin Papers (Microfilm), Reel 516.

2. Kimberley to Dufferin, 20 March 1885, Dufferin Papers (Microfilm), Reel 516.

3. For Deptt. Progs., Sept. 1885, Secret F., Cons. 17, From Granville to Thornton, March 3, 1885. Kimberley to Dufferin Papers (Microfilm), Reel 516.

4. For. Deptt. Progs., Sept. 1885, Secret F., Cons. 810.

5. Ibid.

ation of the left bank of the Kushk. Captain Yate, at this stage made an unsuccessful attempt to convince the Russians of the legitimate occupation of the Dash Kapri bridge (Pul-i-Khisti) by the Afghans. The Afghan General again refused to vacate the post and stressed that Pul-i-Khisti was his "Bridge of Heavens". It seems that in order to benefit by the work of the boundary commission, both the Afghans and the Russians were actively engaged in the occupation of larger territory.

Thus the apprehended collision occurred on March 30, 1885, and the Russian General Komaroff pushed the Afghans back with heavy losses, and declared Panjdeh to be the Russian territory. It is significant that the British officers remained neutral, who were encamped only a few miles from the place, where the skirmish took place. The British officers, having heard the news of Afghan's defeat, at once retired to Tirpul on the Heri Rud. The Afghan General afterwards complained that, at the moment of the crisis, he had requested the nearby encamped British contingent to come to his help, and wanted their rifles for the defence, but the British officers withdrew. This treatment of the Afghans by the British at the hour of their crisis, however, had a significant effect in compromising the British prestige in Afghanistan.

The fall of Panjdeh 'sent a thrill down the heart of the Russiophobists in England' and provoked a concern to the English people in general. Public opinion became so hostile in England that there was even a demand for war between England and Russia.¹ At this stage, a war could have cost England to the utmost of her resources and, might provoke a European crisis, since apprehensions of German support for the Russians were widely rumoured in London. Gladstone, however, defended the Government, explaining that it was not judicious for England to go at war with Russia. Thus the Ministry of Gladstone came in for a severe criticism. On April 27, in a historic speech, Gladstone pleaded in the House of Commons that there was a breach of covenant of 16th

1. For. Dep't. Progs., July 1885, Secret F., Cons. 125.

March 1885.¹ He then proposed a vote of credit for £1,000,000 and he readily obtained it. But when on May 4, 1885, the Panjdeh issue was submitted to arbitration,² Gladstone was accused of betrayal. Mr. Edward Stanhope, M.P., charged him of "whinnying indignation against Russia one week" and of making "a complete surrender the next".³ Lord Randolph Churchill, the conservative Secretary of State, however, explained that Russia had often violated the pledges, which she had given since 1869.⁴ Lord George Hamilton, M.P., referring to the Russian assurance of 16th March 1885, accused the Russians of aggression.⁵ The London newspaper, 'The Times' also condemned the Liberal Ministry of lack of 'vigilance', 'forethought' and 'energy'.⁶ All this contributed enough in the overthrow of the Liberals in the General Election of 1885.⁷

At this crucial juncture, however, the Amir was in India at the invitation of the Viceroy, Lord Dufferin. The Amir was invited to India, as a result of the correspondence initiated in 1884, regarding the Afghan boundaries and the appointment of a Commission of delimitation. The Amir had accepted the invitation and Rawalpindi was selected the place of meeting, since it was situated conveniently near to His Highness's territories.⁸ When the first news of the unfortunate Panjdeh

1. *The Times* (London) Editorial, May 2, 1885.

2. *Hansard Parliamentary Debates*, 1885, Third Series, CCXCVII, Col. 864.

3. *Speech on May 4, 1885, Hansard Parliamentary Debates, 1885, Third Series, CCXCVII, Col. 1549.*

4. *Speech on May 4, 1885, in the House of Commons, Hansard, 1885, Third Series, Vol. CCXCVII, Cols. 1524-41.*

5. *Hansard, Parliamentary Debates, 1885, May 11, Third Series, Vol. CCXCVII, Col. 174.*

6. *The Times* (London) Editorial, May 8, 1885.

7. Though some other issues like Irish Question, the Crinas Act etc. were responsible for it but the Panjdeh crisis formed an important issue in Foreign Policy.

8. *For. Deptt. Progs.*, May 1885, *Secret F., Cons. 1181. From Durand to the British Agent at Kabul, February 20, 1885, p. 4; Dufferin to Kimberley, 16 Feb. 1885, 10 March 1885, Dufferin Papers (Microfilm), Reel 516.*

incident reached Rawalpindi, Lord Dufferin in diplomatic posture at once assured the Amir of British help in arms, ammunition and money, should a war follow with Russia. However, the Amir was more experienced regarding British assurances and hence he could not get excited. He realised fully his own position at home and the consequences in case of an open war between England and Russia over his territories. He, however, dealt with the issue intelligently.

The invitation extended to the Amir for the exchange of views and to strengthen the mutual friendly relations between the British Empire and Afghanistan exhibited the diplomacy of Lord Dufferin. The protracted correspondence between London and St. Petersburg, over the delimitation of the Afghan frontier, had created an atmosphere of suspicion, and the fluid situation over the controverical land between the Heri Rud and the Oxus had confused the entire issue. Hence a personal meeting with the Amir, may have strengthened the confidence of the 'protected ally'. The Amir, finding himself in a delicate situation, had readily accepted the invitation. Dufferin wanted to reassure the Amir again and again that 'the British Government would protect Afghanistan against any foreign aggression provided the Amir did not communicate with Russia or any other foreign country without their knowledg and advice.'¹

The interview between Lord Dufferin and the Amir in March/April 1885 was of striking significance and interest even to a diplomat of Lord Dufferin's wide and varied experience. At Rawalpindi, the Amir was made more inclined to be treated as a feudatory rather than an independent ruler.² To the British, his gratification was undisguised, when he had found that he was surrounded by all 'attributes' of royalty and was welcomed as an 'ally'.³ The discussions were proceeding satisfactorily when the striking news of the Panjdeh incident

-
1. Dufferin to Kimberley, Telegram 8 April 1885, 8.15 P.M. Private letter dated 27 April 1885, Dufferin Papers (Microfilm), Reel 516.
 2. Dufferin to Sir Mount Stuart Grand Duff, Governor of Madras, 15 May 1885, Dufferin Papers (Microfilm), Reel 526.
 3. Ibid.

reached Rawalpindi. Lord Dufferin at once offered full support to the Amir for the defence of his territories. He told the Amir emphatically that, for the protection of Herat and the North-West Frontier, every sort of assistance in the shape of money, arms, war materials as well as engineers shall be given to him. However, the Amir took the frontier incident calmly and intelligently and declared that he was ready to make sacrifices in order to avoid war with Russia.¹ He treated the incident with indifference, since he was well aware of the circumstances prevailing in his own country and on the frontiers, and had a complete realisation of his own weaknesses and the nature of British promises.² The Amir had long claimed the territory of Panjdeh, lying within his own dominions,³ and had felt much humiliated by the Panjdeh incident. However, his indifference towards the magnitude of the calamity and his decision to give up his claim over the territory may be taken as a masterstroke of his diplomacy. He was not prepared to make Afghanistan a battle ground between the two great Empires, for, 'the ravages of such a war so soon after that of 1878-80 could wipe her out of existence.' The Amir's hold on the Sariks of Panjdeh was ineffective,⁴ and he had no desire to add a section of so turbulent a people, as the Turkomans, to the many races already inside his boundaries. He, therefore, suggested the Viceroy at Rawalpindi that he attached more importance to Maruchak, Gulran and Zulfiqar Pass, and he would have no objection to a line of frontier, if it could be drawn to the north of these places with the approval of the British Government.⁵ The Amir fully understood that his

1. For. Deptt. Progs., July 1885, Secret F., Cons. 309.

2. Dufferin to Kimberley, 5 April (Two letters), 11, 12 and 13 April 1885, Dufferin Papers (Microfilm), Reel 516; Dufferin to Northbrook, 21 Dec. 1885, Dufferin Papers (Microfilm) Reel 525; For. Deptt. Progs., Sec. F., 1885, Cons., 760-87.

3. Life of Amir Abdur Rahman, Op. cit., Vol. II, p. 151.

4. For. Dept. Progs., July 1885, Secret F., Cons. 309; Kimberley to Dufferin, 4 June 1885, Dufferin Papers (Microfilm).

5. Ibid. Dufferin to Kimberley, 11 April, 1885. (Microfilm), Reel 517.

country was 'between the two mile stones and it had already been ground to powder', 'it was a boat between two waves', and that in the event of a war between England and Russia, his country would witness 'famine, ruin, and absolute loss of independence'. Lord Dufferin however told the Amir that, since he was not willing to rely on the British military support, he should try to reach an agreement with Russia. 'In fact, in order to save a fatal blow at your heart, it would be better to cut off a bit of your little finger, especially as you say that it aches a good deal'. With the painstaking efforts of Lord Dufferin to diplomatically persuade the Amir, he agreed to give up Panjdeh but insisted to retain Gulran, Maruchak and Zulfikar. With this change in his attitude, Lord Dufferin felt greatly relieved and informed the British Government that Panjdeh could be quietly surrendered. On the advise of Lord Dufferin the British Government agreed to submit the issue to arbitration by the King of Denmark, and the British Government eventually decided to give up Panjdeh.

The Amir found himself in strategic confrontation and demanded from the British, nothing more than arms and money, and such a help the British were prepared to extend. The Amir paid high tributes to the British Government and declared with great confidence that the Russian Government 'would not succeed in occupying Afghanistan, as the British Government would not allow them to do so.' Sentimentally, yet intelligently, the Amir also declared in the public Darbar at Rawalpind that the British Government were fully responsible for maintaining the safety and integrity of Afghanistan, and this served as an open warning to the Russians that any further aggression on the territories of the Amir may not be tolerated. The Amir further reiterated that "in return for the kindness and favour, that I have received from the Viceroy, I am ready with my army and my people to render any service, which may be required of me or of the Afghan nation."¹ Lord Dufferin, as desired by the Amir, sanctioned a subsidy of ten lakhs of rupees, for the payment of his troops and for

1. For Deptt. Progs., Sep 1885, Secret. F., June 1885; Cons. 428.

other measures, for the defence of Herat and the North-West Frontier. Lord Dufferin also ordered for an immediate despatch, to the Amir, of ten thousand Martini-Henri rifles and ten thousand Snider rifles with ammunition.¹ Lord Dufferin also assured the Amir that adequate measures for the defence of Herat would also be taken up immediately.²

Lord Dufferin also told the Amir the necessity of sending British officers to strengthen the defences of Herat, since the existing ones were insufficient to repulse any Russian aggression. But the Amir emphatically refused and frankly told the Lord Dufferin that the memory of the last Afghan War still fresh in the minds of Afghan peoples, and that such an advance of British army may be looked upon by them as an endeavour to conquer their territory. Although the Amir's attitude was contrary to British proposal, yet it was satisfying to the British since the British themselves were not enthusiastic in maintaining a large regular army in Afghanistan.³

Thus the Rawalpindi Durbar and the interview of the Amir with the Viceroy may be taken as a master-stroke of Lord Dufferin's diplomacy, which exhibited a 'successful game of experience and top-seeded statesmanship'. The principal object of Amir's consent and approval in regard to the proposed delimitation, a frontier line between Oxus and Heri Rud, had been successfully achieved at Rawalpindi. After the second interview, Lord Dufferin had informed Lord Kimberley, the Secretary of State in the Gladstone Ministry, that the Amir had agreed in giving the British Government "a per-

-
1. For. Deptt. Progs., Sept. 1885, Secret F., Cons. 1240. From Viceroy to Amir, 30th April 1885; Kimberley to Dufferin, 28 May 1885, Dufferin to Lord Rundolph Churchill, Telegram, 6.30 A.M, 29 June 1885, Dufferin Papers (Microfilm), Reel 516.
 2. For. Deptt. Progs., July 1885, Secret F., Cons. 475. From Viceroy to Amir, 5th June, 1885; Dufferin to Kimberley Telegram, 21 March 1885, Dufferin Papers (Microfilm), Reel 516.
 3. Dufferin to Sir Mount Sturat Grand Duff; Kimberley to Dufferin, 17 April 1885, Dufferin Papers (Microfilm), Reel 516.

fectly free hand" in delimiting the frontier.¹ The repeated diplomatic assurances of the British Government to defend Afghan territory against a foreign invasion only helped British to persuade the Amir to adopt an indifferent attitude towards the Panjdeh incident. It was definitely a great achievement of Lord Dufferin, because if Abdur Rahman had insisted on recovering Panjdeh, the British were committed to his support. Amir Abdur Rahman himself was made very much satisfied with his visit to Rawalpindi.

Although the Amir was handled 'carefully' at Rawalpindi and a war was avoided, yet the possibility of a Russian attack on Herat was constantly haunting the British. After the departure of the Amir from Rawalpindi, Lord Dufferin continued to emphasise to the Amir the necessity of fortifying Herat.² The Amir continued to be warned that unless Herat was fortified and fully garrisoned under British supervision, the British Government may be forced to consider whether the Agreement of 1880 could be effectually maintained. The British Government had already placed Rs. 400,000 at the disposal of their Boundary Commission for the defence of Herat,³ and now asked the Amir to give him a free hand for the inspection of works. The Secretary of State for India desired Lord Dufferin to take immediate steps for the fortification, garrisoning and provisioning of Herat, as the Russian cloud continued to hover over the North-West.⁴ The British

-
1. Dufferin to Kimberley, 17 April 1885; 30th April 1885, 28 May 1885; to Lord Randolph Churchill, 20 June 1885; to Queen 27 April, 1885, Dufferin Papers (Microfilm), Reel 516.
 2. For. Deptt. Progs., July 1885, Secret F., Cons- 475. From Viceroy to Amir, 5th June, 1885. Kimberley to Dufferin, 17 April 1885, Dufferin to Kimberley, 29 June, 1885. Dufferin Papers (Microfilm), Reel 516.
 3. Ibid; Kimberley to Dufferin, 22 April 1885, Dufferin Papers (Microfilm), Reel 516.
 4. For. Deptt. Progs., August 1885, Secret F., Cons. 301-302, From Secretary of State to Viceroy, 30th July 1885; Dufferin to Queen, 10 March 1885, Dufferin Papers (Microfilm), Reel 516; Kimberley to Dufferin, 28 May 1885, Lord Randolph Churchill to Dufferin, 20 June 1885, Dufferin Papers (Microfilm), Reel 516.

Royal family was also concerned over the Russian danger, and Queen Victoria informed Lord Dufferin of the general impression in England and Europe that the war seemed so imminent.¹ The people in England generally believed that the Russians were confident that the Gladstone Ministry may not go to war with them because England was already occupied in Egypt. The Russians, therefore, were supposed to believe that since they had got Khiv without war, also Merv without war, they could be certain of getting Herat also without war.² Lord Dufferin informed Queen Victoria that, all his strategic preparations were being persecuted in India with unabated energy.³ Lord Dufferin had a great satisfaction that the feudatories like Scindia, Holkar, Nizam and the Begam of Bhopal together, with several of the minor princes, had already placed themselves, their armed forces and the resources of of their States at the disposal of the British Government in case of need.⁴ Dufferin also requisitioned, from the Home Government, sufficient forces, but simultaneously he believed that to fight the Russians from so long a distance may be to place a more formidable strain upon British resources.⁵

The Secretary of State for India recalled Lumsden and Col. Stewart to London and Col. Ridgeway was appointed Boundary Commissioner.⁶ Col. Ridgeway tried to avail of the opportu-

-
1. Queen to Dufferin, 28 May, 1885, Dufferin, Papers (Microfilm), Reel 16.
 2. From Crown Princess from Berlin to Queen Victoria, 22 April 1885; Queen to Dufferin, 28 May 1885, Dufferin Papers (Microfilm) Reel 516.
 3. Dufferin to Queen, 27 April 1885 and 19 June 1885, Dufferin Papers (Microfilm), Reel 516.
 4. Dufferin to Queen, Private Telegram, 22nd March 1885, Dufferin Papers (Microfilm), Reel 516.
 5. Dufferin to Kimberley, Telegram 21 March 1885, (Enclosure of the letter Kimberley to Dufferin, 8 May 1885; p. 3, Dufferin Papers (Microfilm), Reel 516.
 6. For. Deptt. Progs., July 1885, Sec. F., Cons. 215, From Secy of State London to the Viceroy of India, May 4, 1885; p. 3, Dufferin to Kimberley, 18 May, 1885, Kimberley to Dufferin, 12 June 1885; Dufferin Papers (Microfilm), Reel 516.

nity for Russian withdrawal from Pul-i-Khisti and Panjdeh by occupying both Bala Murghab and Maruchak,¹ but the British Government did not permit to complicate the issue further at this stage,² and instructed the Viceroy to make efforts that the Panjdeh oasis is 'neutralised', pending a settlement of all the frontier questions. The Secretary of State also desired that, pending delimitation, the Russian and Afghan officers and soldiers may be persuaded not enter or remain in Panjdeh and that the limits of Panjdeh should be taken to extend only up to the point of Maruchak, at which the Russian Government had originally proposed that the boundary should pass through the valley.³

At this crucial stage, the liberals went out of power, giving place to the conservative opposition led by Lord Salisbury, who has always been keen on avoiding a conflict with Russia on the Central Asian question and was inclined to take immediate steps finalising delimitation. Lumsden was of opinion that if the Commission was appointed to demarcate the disputed frontier on the spot, its position would be most embarrassing before the Afghans, Sariks and the Uzbeks. Thus he had proposed to Granville, on April 27, 1885, that the definite limits of Afghanistan should preferably be fixed in London on the basis of the recommendations survey reports already prepared. Col. Lumsden's proposals were approved by the British Government, and M. de Giers too did not hesitate to resume the negotiations in London, as suggested by the British Government, since the Russian had foreseen the implications

-
1. For. Deptt. Progs., July, 1885. Sec. F, Cons. 334. From Col. Ridgeway to Kazi Saaduddin, May 17, 1885. Kimberley to Dufferin. 12 June 1885, Dufferin Papers (Microfilm), Reel 516.
 2. For. Deptt. Progs., July 1885, Secret F., Cons. 3/8. From Secy. of State to the Viceroy of India, May 20, 1885. p. 12; Randolph Churchill to Dufferin, 20 June 1885, Dufferin Papers (Microfilm) Reel 516.
 3. Central Asia No. 5 (1885). No. 83, From Granville to Sir E. Thornton- May 1885, p. 39; Kimberley to Dufferin, 4 June 1885, Randolph Churchill to Dufferin, 24 July 1885, Dufferin Papers (Microfilm) Reel 516.

that involved in the fortification and garrisoning of Herat under the British supervision.

The difference of opinion on Zulfiqar Pass and on the land between Ak Robat and Soume Karez¹ further interrupted the negotiations on frontier delimitation. The British Government invited attention of the Russian Government to the Agreement of April 1885, according to which it was decided that the Afghan boundary should run from a point on the Heri Rud a little to the north of Zulfiqar.² The Russians were not at all inclined to part with Zulfiqar because for communications, it was an important link between Ak Robat and the Russian possessions in the north.³ Although Amir Abdur Rahman himself was eager to retain Panjdeh for Afghanistan, yet Lord Dufferin, keeping in view the strategic British interests and the defence of Herat, suggested that the line of demarcation may run from a point on the Heri Rud north of Zulfiqar passing through Ak Robat and Karez Soume and across the Kushk river Chaman-i-Baid and across the Murghab north of Maruchak.⁴ The discussions at London were held on a general principle that Panjdeh should be exchanged for Zulfiqar.⁵ M. de Giers, while agreeing to this general principle of the exchange of Panjdeh for Zulfiqar, had

-
1. For. Deptt. Progs., August 1885, Sec. F., Cons. 192, From Secy. of State for India to Viceroy of India, June 27, 1885, p. 8; Kimberley to Dufferin, 4 June 1885, 12 June 1885. Dufferin to Kimberley, 12 June 1885; 3 July and 17 July 1885; Dufferin Papers (Microfilm), Reel 516.
 2. For. Deptt. Progs., August 1885, Sec. F., Cons. 255, From Secy. of State for India to the Viceroy of India, July 14, 1885; Dufferin to Kimberley, 12 June, 1885; Dufferin Papers (Microfilm), Reel 516.
 3. For. Deptt. Progs., Oct. 1886, Sec. F., Cons. 981, Memorandum of O.T. Burns regarding the frontier from the Heri Rud to the Oxus, Part IV, December 31, 1885, p. 21, Also Central Asia No. 4 (1885), p. 40; Kimberley to Dufferin 28 May 1885, Dufferin to Kimberley, 12 June 1885, Dufferin Papers (Microfilm), Reel 516.
 4. For. Deptt. Progs. July 1885, Sec. F., Cons. 230, From Viceroy to the Secy. of State for India, May 7, 1885, p. 7; Kimberley to Dufferin, 22 May, 1885, Dufferin Papers (Microfilm), Reel 516.
 5. Central Asia No. 4 (1885), p. 6; Kimberley to Dufferin, 4 June, 1885, Dufferin Papers (Microfilm), Reel 516.

put a line of demarcation, on 16th April 1885, which¹ was afterwards elaborated in a Memorandum and communicated to Granville.² Therefore Granville had agreed to the meeting of the Boundary Commission on the condition that the logic of the agreement between the two Governments, should be based on the decisions of April 16, 1885.³ Lord Salisbury strongly emphasised to vindicate the loss of Panjdeh with the retention of Zulfiqar and Ak Robot, for, Lord Dufferin had repeatedly guaranteed the pass of Zulfiqar to the Amir.⁴ In determining this attitude, the British Government were also strengthened with the views of the Lord Dufferin and his Council⁵ as well as Col. Ridgeway,⁶ the officer on the spot. However, Russia declined to accept the British insistence with regard to the delimitation of the Pass of Zulfiqar, until the investigations, on the spot, may warrant the possibility of extending the limits of the Pass without affecting the Russian communications. Thus once there was a deadlock and, so long as the two Governments refused to make concessions, it was difficult to reach an acceptable solution over the boundary question.⁷ Meanwhile, the Russians had re-inforced Zulfiqar⁸ and other strategic points, and the British had also strengthened their positions at Herat.⁹

-
1. Central Asia No. 4 (1885), p. 6; Kimberley to Dufferin, 12 June, 1885, Dufferin Papers (Microfilm), Reel 516
 2. Central Asia No. 4 (1885), pp. 34
 3. Central Asia No. 4 (1885), p. 45; Viceroy to Secy. of State, Private Telegram 6.30 A.M., 29 June 1885, Dufferin Papers (Microfilm), Reel 520.
 4. For. Deptt. Progs., July 1885, Sec. F., Cons. 345; Randolph Churchill to Dufferin, 10 July 1885, Dufferin Papers (Microfilm), Reel 518.
 5. For Deptt. Progs., July 1885, Sec. F., Cons. 498.
 6. For. Deptt. Progs., August 1885, Secret F., Cons. 209.
 7. For. Deptt. Progs., Oct. 1885, Secret F., Cons. 515; Randolph Churchill to Dufferin, 17 July, 1885, Dufferin Papers (Microfilm), Reel 518.
 8. Ibid., Cons. 552.
 9. For. Deptt. Progs., August 1885, Secret F., Cons. 289 and 302; Viceroy to Secy. of State, Private Telegram, 6.30 A.M., 29 June 1885, Dufferin Papers (Microfilm), Reel 520.

However, the deadlock dramatically came to an end when the Russian Ambassador called on the British Prime Minister and expressed his regret at the deadlock in the negotiations for a settlement of the frontier. Lord Salisbury at once agreed on the survey of the controversial land by the contingents of both the parties separately, and this helped the two Governments to proceed further. The Russian Government submitted a proposal in which they agreed to leave that part of the Zulfiqar Pass, which crossed the first range of the heights bordering the Heri Rud.¹ The British Foreign Office gladly accepted this proposal with a slight modification.² A protocol was accordingly signed between the two Governments on 10th September 1885, laying down in general, though in precise terms, the Russo-Afghan frontier from Zulfiqar on the Heri Rud to Khoja Saleh on the Oxus.³ It was agreed that the Commissioners, who would be appointed for the demarcation of the frontier, would meet within two months after the date of the Agreement; the forces be limited to 100 men on each side and that the demarcation should begin from Zulfiqar.⁴

The first formal meeting of the Boundary Commissioners, Colonel Ridgeway on behalf of England and Colonel Kullburg on behalf of Russia, was held at Zulfiqar on 10th November 1885. Again the difficulty, which arose at the initial stage, was the inclusion of an Afghan Agent in it. The Amir insisted

1. For. Deptt. Progs., October 1885, Secret F., Cons. 554; Randolph Churchill to Dufferin, 31 July 1885, 7 August 1885, Dufferin Papers (Microfilm), Reel 518.
2. Central Asia No. 4 (1885), p. 69; Randolph Churchill to Dufferin, 28 August 1885, 2 September 1885, Dufferin Papers (Microfilm), Reel 518.
3. For. Deptt. Progs., Jan. 1886, secret F., Cons. 85, Also Foreign Deptt. Progs., Oct. 1886, Secret F., Cons. 981, Memorandum of O.T. Burns regarding the frontier from the Heri Rud to the Oxus, Part IV, 31 Dec 1885 pp. 39-40; Dufferin to Randolph Churchill, 28 Sept. 1885, 12 Oct. 1885; Randolph Churchill to Dufferin 8 Sept. 1885, Dufferin Papers (Microfilm), Reel 518.
4. For. Deptt. Progs., Jan. 1886, Secret F., Cons. 209, From Salisbury to Sir E. Thornton, Sept. 4, 1885.

to the British on the inclusion of his officials, or he would decline to accept any decision arrived at in their absence,¹ and the British Government had agreed to it.² However, the British persuaded the Russians that the Amir's representative would be present when the frontier would be demarcated and the sites of the pillars determined.³

The work of the Commission, however, proceeded smoothly for a few months but, in March 1886, confusion again arose with regard to the location of 'Khoja Saleh' as defined in the agreement of 1872-73. In the agreement the place was defined as the post of Khoja Saleh but, after about thirteen years, on the spot investigations made it clear that there was no such post as Khoja Saleh.⁴ However the issue did not stop the work of the commission and the work of delimitation was carried on, and the boundary between Heri Rud and Dukchi was amicably settled. Although the Afghans had sometimes put the British officers in embarrassing positions, yet a protocol with regard to the delimitation from Heri Rud and Dukchi was signed.

Ridgeway⁵ and Lord Dufferin⁶ now suggested to the British Government that, due to the controversy over Khamiab and the possibility of rebellion breaking out in Afghanistan, in which case a retreat of the British Commission, through that country, may be impossible, the British Commission

-
1. For. Deptt. Progs., Oct. 1886, Secret F., Cons. 3, Ridgeway to M. Durand, Jan. 5, 1886; Randolph Churchill to Dufferin, 17 Dec. 1885, Dufferin Papers (Microfilm), Reel 518.
 2. For. Deptt. Progs., Oct. 1886, Secret F., Cons. 193, From Salisbury to Ridgeway, Dec. 23, 1885.
 3. Central Asia No. 2 (1887), Enclosure in No. 34, p. 13.
 4. For. Deptt. Progs., Feb. 1887, Secret F., Cons. 341 A; Dufferin to Kimberley, 20 August 1886, Dufferin Papers (Microfilm), Reel 517.
 5. For. Deptt. Progs., July 1887, Sec. F., Cons. 799, Memorandum of O.T. Burns regarding the demarcation from Heri Rud to the Oxus, Part VI, December 31, 1886, p. 5.
 6. For. Deptt. Progs., Sept. 1886, Secret F., Cons. 342, From Viceroy to Secy. of State India, August 5, 1886, p. 17; Dufferin to Kimberley, 9 July 1886, Dufferin Papers (Microfilm), Reel 517.

may be withdrawn to India, and all further questions connected with the delimitation of the rest of the frontier upto Oxus may be postponed for settlement between the two Governments.¹ The British Government consulted Sir Robert Morier, the British Ambassador at St. Petersburg, and made arrangement with the Russian Government dissolving the Commission. The British Commission left Oxus on 15th September 1886 and Colonel Ridgeway returned to London. At their departure, the relations between the British and the Russians, and between the British and the Afghans were believed to be cordial, and the Afghans were probably satisfied with the agreement arrived at.²

The British and the Russian Governments further corresponded the selection of a possible venue for the talks and, on the advice of the Russian Government,³ St. Petersburg was preferred. Accordingly Colonel Ridgeway, with his staff, reached St. Petersburg on April 11, 1887.⁴ Differences between the British and the Russian Commissioners again arose on the exact location of 'Khoja Saleh' as defined in the agreement of 1872-73. The discussions, which were resumed at St. Petersburg, first of all referred to the question whether the demarcation between Dukchi and the Oxus should run to Khamiab or to Islam, which was the shrine of Khoja Saleh. In fact the debate over Khamiab had raised the issue of Khoja Saleh. Both Lord Dufferin and Ridgeway had strongly supported Amir's claims upon Khamiab, which were, at one time admitted, and at another rejected by the Russian Government. The British contention was that the place which was marked as 'Khoja Salar,' with Russian Staff map, was the

-
1. For. Deptt. Progs., Sept. 1886. Secret F. Cons. 359, From Secy. of State to Viceroy India, Aug. 21 1886, p. 1. Dufferin to Kimberley, 30 July 1886. Kimberley to Dufferin, 9 July 1886, Dufferin Papers (Microfilm), Reel 517.
 2. For. Deptt. Progs., June 1887, Asia, Cons. 313, Ridgeway to Cross Sept. 27, 1886; Dufferin to Lord Cross, 11 August 1887. Dufferin Papers (Microfilm), 517.
 3. For. Deptt. Progs., June, 1887, Sec. F., Cons. 367.
 4. For. Deptt. Progs., June, 1887, Sec. F., Cons. 463.

'Khoja Saleh' and included Khamiab.¹ While the Russian contention was that it was a graveyard.² But the British took it as definitely belonging to Afghanistan. Besides, Amir Abdur Rahman was insistent on retaining the district of Khamiab in his territories.³ Thus the dispute over Khamiab taxed for sometime the utmost of statesmanship and diplomacy from both the sides.

Ridgeway ultimately referred the matter to the British Government.⁴ At this stage the liberal inclinations of the Tsar also saved the issue to convert into a serious crisis. Ridgeway had an interview with the Tsar on 13th May, 1887⁵ and, as a result of the timely intervention of the Tsar, Zinoview agreed to the British demands, provided the British considered the Sarik's territories favourable to Russians. Ridgeway also felt that the Russians should be given some compensation at the Kushk and Kushan valleys.⁶

Lord Salisbury, before finally instructing Ridgeway, had telegraphic exchanges with Lord Dufferin, who had an experience of Russian diplomacy and the attitude of the Tsar, and called Ridgeway to London for consultations.⁷ If the Russians did not agree to such concessions arbitration was the only alternative left.⁸ The British tried to persuade the Amir to grant certain possible concessions to the Russians to end the

-
1. Central Asia No. 2 (1887), Cons. 127, Enclosure 1, p. 95.
 2. For. Deptt. Progs., August 1887, Secret F., Cons. 4.
 3. Central Asia No. 2 (1887) Cons. 64; Dufferin to Cross, 9 May, 1887, Dufferin Papers (Microfilm), Reel 518.
 4. For. Deptt. Progs., October 1887, Secret F. Cons. 107, Central Asia No. 1 (1888) Cons. 1; Central Asia No. 2 (1887) p. 337; Cross to Dufferin, 22 July 1887, Dufferin Papers (Microfilm), Reel 518.
 5. For. Deptt. Progs., October 1887. Secret F., Cons. 107.
 6. For. Deptt. Progs., July 1887, Secret F., Cons. 799, Memorandum of O.T. Burns, Dec. 31, 1886, p. 10, and For. Deptt. Progs., April 1887, Secret F., Cons. 394, Cross to Dufferin, 2 June 1887, Dufferin Papers (Microfilm), Reel 518.
 7. Central Asia No. 2 (1887) p. 362.
 8. For. Deptt. Progs., April 1887, Secret F., Cons. 394, Memorandum of Sir West Ridgeway, February 16, 1887, p. 4, Cross to Dufferin, 2 June 1887, Dufferin Papers (Microfilm), Reel 518.

deadlock, and Lord Dufferin repeatedly pressurised the Amir to appreciate the claims of the Russians to the Sarik lands.¹ The Lord Dufferin contended that, since the Sariks had already been deprived of considerable territory, which they had considered necessary for their flocks, it was natural that the Russians desired to gain possession of these lands on the Kush and Kushan rivers.²

Salisbury thought it necessary to settle the boundary dispute early, and sent back Colonel Ridgeway to St. Petersburg to resume the discussions with his Russian counterpart.³ In the discussions, that followed, Ridgeway suggested a compromise that the Afghan colonies at Kara-Tape and Chabil Dukhteran should not be removed from their possession and Russia agreed to this proposal.⁴ This, however, led to a comfortable settlement of the frontier on the Murghab.

Differences again cropped up over the frontier on the Oxus between the two delegates. M. Zinoviev claimed the wells between Imam-Nazar and the Oxus, north of the Zarakuduk road, and the Bosagha canal in Khamiab, thus depriving the Khamiab people of nearly all the riverain pasturages.⁵ Colonel Ridgeway stressed that the concessions, which have been made to Russia on the Kushk and the Kushan, were subject to the Russians agreeing to Afghan claims on Khamiab.⁶ At this moment Sir Robert Morier diplomatically persuaded M. de Giers for a mutual understanding and concessions, and the Russians agreed to allow the Afghans to retain the riverain pastures of Khamiab.⁷ With the Russians,

-
1. For. Deptt. Progs., August 1887, Secret F., Cons. 44, Viceroy to Amir, August 1, 1887, p. 4.
 2. Central Asia No. 1 (1888), Cons. 4, Enclosure, Viceroy to Amir, August 1, 1887, p. 11; Dufferin to Cross, 24 June 1887, Dufferin Papers (Microfilm), Reel 518.
 3. Central Asia No. 2 (1887), Cons. 252.
 4. Central Asia No. 2 (1887), p. 365.
 5. For. Deptt. Progs., Oct. 1887, Secret F., Cons. 87 and 107.
 6. Ibid.
 7. Central Asia No. 1 (1888), Enclosure in No. 5, Russian Official Statement, p. 15.

thus conceding the British, Britain agreed to leave the Imam-Nazar wells in Russian possession.¹ Thus a Protocol embodying the settlement was thus signed on 22nd July 1887 by Colonel West Ridgeway from the British side and M. Zinoviev from the Russian side. On the advice of Lord Salisbury, a clause providing for the demarcation of the frontier by a Joint Commission, in conformity with the signed maps, was inserted in it with the consent of M. Zinoviev, and the demarcation of the north-west frontier of Afghanistan was thus completed.

While the work of delimitation was being completed, the Salarzai Bunerwal tribe inhabiting in the Black Mountain region came into clash with the British, which compelled the British Indian Government to send an expedition to suppress the atrocities of the tribe. The border of North-West Frontier skirted the six districts of Hazara, Kohat, Peshawar, Bannu, Dera Ismail Khan and Dera Ghazi Khan; the first five of which belonged to the North-West Frontier Province and the last to the province of Punjab.

In May 1884, a party of Salarazai Bunerwals raided and burnt the frontier village of Pirsai, carrying off twenty six Government rifles, thirty five muskets etc., killing one villager and wounding several others. The British, however, demanded raparation but the tribes did not relent. Subsequently the Ashazai and Nurizai tribes also committed acts of hostility raiding the villages of Borock and Surkhabi. The British ordered the blockade of Salarzai, which was shortly afterwards extended to the other sections of the Bunerwals. The duties involved in this blockade were performed by the inhabitants of the frontier villages, who were supplied with Government arms, ammunitions and money for their own defence. They were assisted by a few men of the border militia and on one or two occasions when the Bunerwals, who constantly attempted reprisals, became particularly aggressive, they were supported by a detachment of regular troops.

Lord Dufferin sent a small column consisting of 12th Bengal Cavalry, 450 rifles, Guides Infantry, to attack Surai,

1. Central Asia No. 2 (1887), p. 367.

Malandri, in order to put a stop to the incursions of raiding parties from the Malandri Pass. Colonel Broome of 12th Bengal Cavalry was in command, and marched the British troops from Rustam and Mardan on the night of 7th-8th January, 1887. The force was, however, halted a few miles beyond Baringan, and the enemy troops mortally wounded some of the British expeditionary force. Nevertheless, Colonel Broom pushed ahead and captured the village of Surai Malandiri, driving the enemy into the hills with considerable loss. The Bunerwals, in this encounter, were estimated to be between 4000 and 5000 strong; and although the village of Patao was not dealt with, the punishment received by the tribes was considered by the British as sufficient to make a testing impression on them, and they were careful in future to avoid exposing themselves to British attacks. The Bunerwal jirgas were considered recalcitrant, as they insolently refused to comply with the demands of the Punjab Government. In the spring of 1887, the Government of India sent the troops to coerce the tribe. Small raids, however, continued and some isolated incidents of murders by the tribesmen were noticed and the British troops continued to inflict losses on the tribesmen.

The Black Mountain was a long narrow ridge, with higher peaks at intervals, and occasional deep passes, the general outline of the ridge was more rounded than sharp. From the sides, numerous large spurs projects, which were often precipitous and rocky, in which were some of the smaller villages of the tribes. The Hassanzais, an important section of the Isazai clan of Yusafzai Pathans, were constantly at feud among themselves, but united in the event of a common danger. There were two parties among them—the Kishardala and Mishardala. The Akazais, like the Hassanzais, were a section of Isazai clan of Yusafzais and inhabited in a portion of the Black Mountain. One more was Chagarzais, a section of the Malizais clan of the Yusafzai tribe of Pathans, occupied the region on the both sides of the river.¹

1. For. Deptt. Progs., Dec. 1888, Stewart. Front. B., Cons. 123. Report of the Intelligence Branch.

In 1884, the Pariyari Saiyids, with their Chagarzai tenants began to cause disturbances and the British troops had conducted several raids.¹ To put off the disturbances, however, the Government of India ordered the Pariyari Saiyids with their Chagarzai tenants to be placed under blockade.² Subsequently the Government of India strengthened the internal defence of the Agror Valley. During 1886 and 1887, the Akazais continued under blockade, but did not give trouble as a tribe.³ On 18th June 1888, a serious affair immediately drew the attention of the Government of India i.e. the tribesmen killed two British officers viz. Major Battye and Captain Urmston, who had entered the Black Mountain region in order to acquaint themselves with the region.⁴ Besides, a large body of Hassanzais of nearly all sections, assembled between Sambalbat and Chajri spurs with a view to attack Agror.⁵ The Punjab Government urged the Government of India very strongly to send a military expedition to Black Mountain. The Lt. Governor pointed out that the occurrence of the 18th June formed a strong *casus belli* against the Akazais, and expressed his opinion that the fact that the two British officers having been killed in a savage and disgraceful manner "constituted an incident which must be regarded, considering our position on the border, as gravely aggravating the importance and urgency of the case".⁶ Thus the Government of India considered the question of 'punitive measures' against the Black Mountain tribes.⁷ The punitive expedition to the Black Mountain was formed on 7th

-
1. For. Deptt. Progs., Feb. 1888, Secret, Front. B., Cons. 170 and 171. Blue book containing papers relating to Black Mountain Expedition; Government of India Despatch No. 163, dated 24 Sept. 1888 to the Secy. of State.
 2. Ibid.
 3. Ibid.
 4. For. Deptt. Progs., July 1888, Sec., Front. A., Cons. 208-229.
 5. Ibid., Also For. Deptt. Progs., Dec. 1888, Sec. Front B., Cons. 123. Report of the Intelligence Branch.
 6. For. Deptt. Progs., Feb. 1888, Sec. F., Cons. 124.
 7. Ibid.

September 1888, and was officially styled the 'Hazara Field Force' and placed in command under Brig. Gen. J.W. McQueen. The Maharaja of Kashmir offered the help of his troops to the Government of India and sent two Battalions, which joined the expeditionary force.¹ The British operations started from the morning of 3rd October and continued till 5th November till the entire resistance, offered by the tribes, was completely put off.² The British had a number of encounters with the tribes, but could easily walk over the regions, since the opposition offered by the tribes was negligible to the British.³ However, the immediate results of the expedition were that Khan Khel section of the Hassanzais had been severally punished with all their principal villages burnt. The Pariyari Saiyids paid the fines imposed on them.⁴ The Akazais and Hassanzais gave hostages for future good behaviour and admitted their responsibility for the outbreak of hostility; undertook that in future the troops or servants of the British Government will not be molested if they marched on the Black Mountain.⁵

1. For. Deptt. Progs., Nov. 1888, Secret, Front. A., Cons. 85-108.

2. For. Deptt. Progs., Oct. 1888, Secret, Front. B., Cons., 24.

3. Ibid., Cons. 42 and 46.

4. For. Deptt. Progs., Apr. 1889, Secret, Front. A., Cons. 12-38.

5. Ibid.

BRITISH EXTRA-TERRITORIAL JURISDICTION ON THE PERSIAN COAST AND ISLANDS

The history of the British extra-territorial jurisdiction on the Persian Coast and Islands is a long and complicated one. The British commercial interests in Persia were, after the flutter of about a decade at the commencement of the 19th century, relegated to an obscure corner in British Foreign Policy, until the treaty of 1857 secured to them the most favoured nation's treatment. Even then it took some 15 years before the British Resident in the Gulf was invested with consular powers, and it was only in 1889 that the Persian Coast and Islands Order in Council was passed, which authorized him and his assistants to exercise certain judicial powers. Until that year a good deal of correspondence was carried on with a view to clear British jurisdictional position on Persia. The British had to resort to many a makeshift for exercise of judicial powers by their officers. In this paper an attempt has been made to unravel the tangled skein of the endless correspondence and discussion on the subject, which ultimately led to the passing of the Persian Coast and Island Order in Council 1889.¹

1. Under article 2 of the Commercial Treaty of 1841, it was agreed that the British Government could maintain two commercial Agents in Persia, one at Tabriz who alone would be honoured with the privileges of a Consul-General, and the other the Resident at Bushire. There is no provision in the treaty for appointing the Resident at Bushire to be a Consul. In 1844, Major Hennel having applied to be vested with consular powers, the proposal was referred to the Court of Directors and it was held by them that the grant of consular powers would be inconsistent with the Commercial Treaty referred to above. (Despatch of the Court dated 12.3.1845.)

In 1855 Captain Pelix Jones had, referring to the act 18 and 19 Vic. Chapter XLII and Her Majesty's order in Council, dated 1st May 1855, suggested that the Resident at Bushire, without being named a Consul-General should be granted full powers and privileges of that office. This was with a view to legalize the awards, decisions or sentence that might be pronounced by him on matters coming before him, more particularly in respect to those bearing upon seamen and mercantile shipping interests abroad. It was pointed out by the Bombay Government to Captain Jones that in making this suggestion, he seemed to have lost sight of the despatch of the Court of Directors of 1845, which it appeared to the Government to militate against the adoption of the arrangement he had proposed. Copy of Commander Jones's letter was sent to the Court of Directors, who approved of the reply given by the Bombay Government to Captain Jones.

At this time the case of a merchant of Bombay engaged the attention of the British Government in regard to the exercise of their extra-territorial jurisdiction in Persian Gulf region. In 1856 Pachabhoy Tajsee, a merchant of Bombay, solicited the aid of Government to enable him to recover a sum of money, alleged to be due to him by the Chief of Lingah, and since the matter was referred to the Political Resident, that officer despatched an Indian navy vessel to Lingah with the object of procuring payment of the claim (Krans 1,500).¹

This was approved by the Government, with the exception

-
1. Foreign Deptt. Progs., Political A., Dec., 1871, Cons. 380. "The object of the Clive's visit (instructions for commander) is to impress upon the Sheikh of Lingah the necessity of complying with demands which had been long evaded under some pretext or other. For this purpose a firm tone should be adopted by her commander without committing us to any direct course of action, dependent, as that is, on the policy which her Majesty's Minister in Persia may deem fit to adopt for the recovery of claims upon parties now living under Persian Protection on the shores of this Gulf. But you may authorise him to decline receiving either letter or excuse in reply to my demand, but that on expiration of the period no if the money is.

of the threat held out at the close of the instructions.¹ The late Court of Directors, however, wanted it to be explained on what ground it was considered part of the duty of the British representative to recover sums, lent by the natives of India to Arab Chiefs ; this proceeding was totally opposed to the general principles, which regulate British relations with the Native States.²

The Bombay Government, thereupon decided that "The Resident should, as a general rule, abstain from all interference with the claims of merchants against Chiefs and others on the shores of the Persian Gulf." The Secretary of State, stated that the British Government were desirous to 'avoid all useless interference with the pecuniary and commercial transactions of these Arab Chiefs and tribes ; and approved the orders which were issued on the subject.³

The British then proceeded to extend the Foreign jurisdiction Act to Persia and the Persian Gulf. Lord Clarendon, the British Secretary of State for Foreign Affairs, in April 1866 wrote to the Consul-General at Constantinople, instructing him

1. Foreign Deptt. Progs., Political A., Dec. 1871, Cons. 381-83.

2. Ibid.,

In reply to these remarks Captain Jones explained that as regarded this case, "the recovery of sums lent by our subjects to Arab Chiefs does in reality form no part of the duty of the British representative in these parts, though in his intercourse with the Chiefs and people he has always endeavoured by friendly remonstrances to advance their claims by recommending them to the Chiefs, so that they may receive attention in regions where without the occasional countenance of protecting authority, their mercantile transactions and British Indian trade in general would be precious if not altogether stagnant.

It was a gross one partaking of the nature of a fraud, in which the British Agent at Lingah was in some way involved and through him likely to prove detrimental to the appellant Pachahbhoy Tejsee. "It seemed to me one, therefore, requiring more than ordinary interference, and while condemning the conduct of the Agent, I deemed it also incumbent on me to exert myself in the recovery of the sum, which was at last effected, in the manner reported.

3. Ibid.

to prepare a draft of an order to apply the provisions of the Foreign Jurisdiction Act (6 and 7 Vic., Cap. 84) to Persia.¹ Lord Clarendon observed that, as regards the Resident at Bushire, it seemed doubtful whether a Consular commission could be issued to him, although he might be empowered by the Queen in his proper capacity to exercise such jurisdiction as may be required over British subjects at Bushire and in its neighbourhood.² As regards the dealings with the British Indian subjects in civil and criminal cases, Lord Clarendon directed that the draft order, framed at Constantinople, was to be sent first to the India Office for perusal.³ In forwarding these papers to the Bombay Government, the secretary of States ordered that the Resident at Bushire should communicate his views to the Consul-General at Constantinople, and furnish him with any advice or suggestions.⁴ Colonel Pelly the British Political Resident in the Persian Gulf, thus suggested that, as respects the Gulf, there should be a Central Consular Court at Bushire, and that the Agents at Maskat and Gwadar should have local courts; that the Consul-General should have power to give his Assistant at Bushire Vice-Consular authority; and that the Act should provide jurisdiction for all cases, happening at sea within the Gulfs of Oman and Persia.⁵

As it did not appear that anything further had been done to apply the Foreigners' Act to Persia and the territories on the Gulf, the Government of India asked the Secretary of State the progress in the matter, and requested that nothing might be finally decided as regards jurisdiction in the Persian Gulf without first allowing the Government of India an opportunity of expressing an opinion upon the proposals.⁶

On the 7th of April 1859, the British Minister at Tehran called upon Colonel Pelly, Political Resident in the Persian

1. Foreign Deptt. Progs. Political, Sept., 1866, Cons. 22 K.W.

2. Ibid.

3. Ibid.

4. Foreign Deptt. Progs., Political. A., Feb. 1870, Cons. 204.

5. Ibid.

6. Ibid. Cons. 205. (For. Progs. Pol. A., Feb. 1870).

Gulf, to furnish him with a list of the British subjects residing within his districts, with the view of a possible granting of judicial powers to British authorities in Persia.¹

Colonel Pelly forwarded the required list to the Bombay Government and expressed that he did not know as to what might be the precise nature of the jurisdiction contemplated.² But he thought that he should be allowed an opportunity to express an opinion concerning the proposed arrangements, in so far as they affected the Persian Gulf, before they were definitely concluded.³

The Secretary of State informed the Government of India that owing to the death in 1867 of Mr. Logie, the Consul-General at Constantinople, who had been entrusted with the preparation of the draft order, the matter had remained in abeyance.⁴ He, however, promised to keep the subject in view and asked if the Resident at Bushire had, in 1866, communicated his views on the subject to the Consul-General at Constantinople.⁵ The Government of India replied that he had, and forwarded a copy of Colonel Pelly's letter of 3rd October 1866, conveying his recommendations in the matter.⁶ They had also informed that they had nothing more on record concerning the conferment of judicial powers on British officials in Persia.⁷ The Secretary of State forwarded a copy of a correspondence with the Foreign office showing that Sir Philip Francis, the Consul-General at Constantinople, had been

1. Ibid. Cons 271-273.

2. Ibid.

3. Ibid.

4. Foreign Deptt. Progs. Political A. July 1870, Cons. 634-668 Letter No. 53 dated 15th June 1870 from the Secretary of State to the Viceroy of India.

5. Foreign Deptt. Progs., Political A., July 1870, Cons. 634-668. Ibid.

6. Foreign. Deptt. Progs., Political A., July 1870, Cons. 370. Letter No. 147 dated 29th July 1870 from the Government of India to the Secretary of State

7. Foreign Deptt. Progs., Political A., July 1870, Cons. 369. Letter No. 1272-P dated 20th July 1870, from the Government of India to the Bombay Government.

directed to communicate with Colonel Pelly, with a view to the preparation of a draft order in Council extending the provisions of the Foreign Jurisdiction Act to Persia and the Persian Gulf.¹

The Secretary of State also forwarded a copy of a further correspondence with the Foreign office on the subject. Sir Philip Francis asked directions from the Foreign Office upon one or two points, which had arisen in regard to the preparation of the draft order. In the first place it seemed to him that there was no one in the Political or Consular Service on whom the duty of drawing up the rules of practice could be well imposed.² These, he thought, should be based upon the Code of Rules in use in the Courts of the Ottoman Empire, which had, on the whole, been found to be a well constructed system.³ He had raised the question whether the Constantinople Court should be charged with the duty of drawing up the rules and modifying them from time to time, or whether the Persian Courts should be independent of the Supreme Consular Court of Constantinople.⁴ He had submitted that there was no advance in giving appeal from Courts constituted as the Persian Consular Courts must be to other courts,—“such as that of the Minister of Tehran, who necessarily has no such special experience or aptitude in legal procedures as would offer any advantage in the administration of justice for him to decide, or revise cases in appeal.”⁵ He had thought that it would be advantageous to constitute the Supreme Consular Court of Constantinople as a Court of appeal from Persia, as it was from Turkish and Egyptian Courts.⁶ He was in favour

-
1. Foreign Deptt. Progs., Political A., Nov. 1870, Cons. 162. Letter, No 105 dated 30th Sept. 1870 from the Secretary of State to the Government of India.
 2. Foreign Deptt. Progs., Political A., August 1871, Cons. 53-170 Letter No. 67, dated 31st May 1871 from the Secy. of State to Government of India.
 3. Ibid.
 4. Ibid.
 5. Ibid.
 6. Ibid.

of giving to the Resident at Bushire and the Assistant Resident, within his jurisdiction, such commission as would empower them to hold court as Consular Officers, and to have direct relation with the Supreme Consular Court as a Court of appeal.¹

Earl Granville asked the Duke of Argyll whether he concurred with him in thinking that Sir P. Francis should be entrusted with the preparation of the rules for the proposed Consular Courts in Persia, and that the Persian Courts should be independent of the Supreme Consular Court at Constantinople, except in cases of appeal, whilst the Court of appeal from Bushire should be at Bombay.² The Secretary of State for India adhered to his former opinion that the rules should be drawn up by Sir P. Francis in communication with the Political Resident in the Persian Gulf.³ He stated that Colonel Pelly was fully empowered to represent Indian interests in the matter and that, unless in the event of diversity of opinion between Sir P. Francis and him, there did not appear to be any necessity for any reference to the India Office on the subject of the application of the Act to Persia.⁴

Earl Granville in reply intimated that Sir P. Francis would be instructed to communicate with Colonel Pelly, with a view to definite settlement of the question.⁵ It appeared to him to be necessary, in the first instance, to determine what orders in Council were required to confer jurisdiction in territories on the Persian Gulf not belonging to Turkey, or Maskat.⁶ He suggested that Colonel Pelly's attention should be called to this point so far as relates to the Chiefs of islands or places not subject to Turkey, Persia, or Maskat, and that he should be directed to take steps, if necessary, to procure the requisite assent from the rulers of these territories.⁷ In forwarding the papers, the

1. Ibid.

2. Foreign Deptt. Progs., Political A, August 1871. Cons. 181-426.

3. Ibid.

4. Ibid.

5. Ibid.

6. Ibid.

7. Ibid.

Duke of Argyll requested that Colonel Pelly might be instructed accordingly, and that he might be acquainted with the correspondence.¹

On the 5th of June 1871 Colonel Pelly forwarded demi-officially an extract from a demi-official letter from Sir P. Francis to him on the above subject.² Sir Phillip urged the advisability of Colonel Pelly proceeding in person to Constantinople to discuss the draft order.³ "We can do more," he said, "in 14 day's personal communication than by three year's writing." He was of opinion that the matter should be devised and worked by Indian officers, and also that affairs in the Gulf should be under the Government of India, and not the Foreign Office.⁴

Colonel Pelly's opinion in this matter, had already been favoured by the decisions of the British Government that appeals from the Courts sitting under the Foreign Jurisdiction Act in the Persian Gulf and Gulf of Oman should lie to the Bombay High Court.⁵ The Bombay Government were told to suspend any orders that might have been issued on Secretary of State's despatch No. 67, dated 31.5.1871.⁶ The Bombay Government were also asked to inform the Government of India, before any further steps were taken in the matter of Consular Jurisdiction in the Persian Gulf, (1) what was the actual practice at the time prevailing in the Gulf as regards jurisdiction in cases where British subjects were concerned; and (2) whether

1 Ibid. Despatch No. 67 dated 31st May 1871 from the Secretary of State to the Government of India.

2 Ibid.

3 Ibid.

4 Ibid. "In an earlier demi-official, dated 2nd May, Colonel Pelly had alluded to the above letter of Sir Phillips. He pointed out how advisable it would be to have Gulf affairs under one authority. He said: "Going on with undefined and mingled authority only leads to confusion, jealousies, and general injury." He thought that the Government of India should be the controlling authority; but, in whichever way it was decided, he strongly urged the principle of unity of authority.

5 Ibid.

6 Ibid.

that practice had been found to be attended with any actual ill results.¹

The Bombay Government submitted Colonel Pelly's views on the general question of the settlement of disputes between British subjects and proteges on the one hand, and Persian subjects.² Colonel Pelly confessed that the time seemed fully arrived when, owing to the development of British commerce in those regions, and to the consequent complication of interests, the Residency should acknowledge that, having no jurisdiction, it could not adjudicate. However, the safest and necessary course was to adhere strictly to the provisions of the Commercial Treaty with Persia.³ Along the Arabian littoral, he thought, it might still be possible to dispose of civil disputes amicably by personal influence, as provided for by the last instructions of the Government of India.⁴

As to the Persian littoral, where the requirements of British merchants had to be met, and where British official actions

1. Ibid. The letter of the Government of India proceeded to say: "His Excellency of Council also desires to be favoured with the opinion of the Hon'ble the Governor in Council and the political authorities in the Gulf on the point, to what classes of British subjects the jurisdiction of the Courts to be established under the scheme indicated in the Secretary of State's despatch should apply. It seems to His Excellency in Council that there are obvious reasons for refraining from seeking to try the crimes committed by, or adjudicate on the civil claims preferred by or against all, without exception, of that heterogeneous body of men, who, from their parentage or residence in one or other of the many British possessions scattered over the world, can claim the rights of British subjects under circumstances which may render it extremely difficult to ascertain how far the claim is well founded. Unless, therefore, good ground be shown for doing otherwise, it would seem to the Governor General in Council that if, on receipt of the report now called for, it be decided to push this matter further, the jurisdiction of the courts to be established should be confined to persons born of wholly British parentage."

2. Ibid. Letter No. 6137 dated 26th Oct. 1872, from the Lt. Governor Bombay to the Viceroy of India.

3. Ibid.

4. Ibid.

were liable to the supervision of the Persian Central Government, Colonel Pelly thought that "we could no longer venture beyond the limits of treaty stipulation without incurring inconvenient responsibility, and without perhaps in the long run impeding where it was hoped to advance the interests of commerce."¹

Colonel Pelly remarked that British Commercial interests in Persia were protected on the basis of the Commercial Treaty of Turkomanchai between Persia and Russia, the 7th Article of which provided for the investigation and settlement of claims, and disputes between Russians and Persian subjects.² As all disputes between the Russian and the Persians were to be referred to the Courts of Religious Law or Equity, the only intervention allowed on the part of the Russian representative was that cases should be heard and decided in the presence of the Russian representative's interpreter; so all disputes between British and Persian subjects should be referred to the same courts.³ He hoped thereby to be able to avoid further complications and irregularities which under the Foreign Jurisdiction Act would be introduced, and Government could succeed in effecting a change in the Commercial Treaty.⁴

The Bombay Government submitted answers to the questions put by the Government of India, and also a

1. Ibid.

2. Ibid.

3. Ibid.

To carry out the treaty stipulations and the wishes of the Government, and to relieve the Residency of an anxious and irregular responsibility, Colonel Pelly proposed for the future "to be guided by the stipulations of the Commercial Treaty, thus abandoning the old and irregular practice of investigating at the Residency cases, wherein a British subject or protege may be defendant, and of sending to the courts Residency officials watch and note the proceedings of cases wherein British subjects or proteges may be parties to a suit. An interpreter would attend, but his functions would be simply those of an interpreter."

4. Ibid.

correspondence between Colonel Pelly and Sir P. Francis on the question of Consular jurisdiction in Persia.¹

With reference to the classes of persons, who should be brought within the consular jurisdiction, which was one of the principal questions raised by the Government of India stated that unless good ground be shown for doing otherwise....., the jurisdiction of the Courts to be established should be confined to persons born wholly of British parentage."²

He again urged the advisability of his proceeding to Constantinople, whereby he "could observe the working of the courts at Constantinople and discuss with Sir Phillip the question of the proposed important alteration in the Commercial Treaty with Persia."³ This was needed for better and more equitable adjudication of disputes wherein British subjects may be plaintiffs and Persian subjects defendants."⁴ The Secretary of State had desired that Colonel Pelly should be instructed to take steps if necessary, to procure requisite assent from the

1. Ibid.

2. Ibid. Letter No. 1438-384 dated 4th Sept. 1872, from Col. Pelly to the Government of India.

As regards the authority for the application of the Foreign Jurisdiction Act to the territories of the Chiefs and tribes on the Arab Coast, whom we hold to be independent both of Persia and Turkey, Colonel Pelly Reported :

Rasool Khymah]	Ejman	"As at present informed, I beg most respectfully to submit that in my opinion it is not either necessary or expedient to obtain the assent of the Rulers of the territories in question.
Shargah		Debai	
Omui Gowain		Aboo habee.	

By usage and sufferance we have long exercised, and do now exercise, every power and jurisdiction over our subjects resident in the territories of the above named Trucial Chiefdoms that could be contemplated by the Foreign Jurisdiction Act and orders in Council framed under its provisions : while to propose a fresh Treaty article would appear to the Chiefs superiority, and might awaken suspicions in their minds, especially at a time when Turkish intrigues have so recently disturbed the Arab Coast line".

3. Foreign Deptt. Progs., Political A., Nov. 1875, Cons. 307-312 Letter No. 1061-281 dated 16.9.1871 from Col. Pelly to the Bombay Government.

4. Ibid.

rulers of territories in the Persian Gulf not subject to Turkey, Persia, or Maskat. With reference to the Secretary of State's directive the Bombay Government stated that it would not be necessary to obtain the assent of these rulers, as by usage and sufferance the British Government had long exercised and did exercise jurisdiction over British subjects in contemplation.¹ The Bombay Government thought the time had arrived for Colonel Pelly to proceed to Constantinople and discuss with Sir P. Francis the best mode of dealing with cases in which British subjects might be plaintiffs, and Persian defendants, a matter to which he attached much importance.²

The question of concluding a Commercial Treaty with Persia would, it was apprehended, take too long a time to make it convenient to wait before passing an order in Council.³ Accordingly a draft order was prepared applying the Foreign Jurisdiction Act to the Persian Coast and Islands and was forwarded by the Secretary of State to the Government of India.⁴ The *Bombay High Court and the Political Resident in the Gulf* were consulted on the subject. Upon consideration of their replies the Government of India were inclined to propose considerable changes on the draft order, which seemed to them in some respects unnecessarily elaborate, having regard to the judicial work developing on British Courts on the Gulf.⁵

In the meanwhile the Government of India were informed that their recommendations on the draft order in Council for Zanzibar were urgently required.⁶ They accordingly submitted a revised draft order with certain observations. They thought that in the case of Zanzibar order in Council it would be sufficient to commence by extending only those enactments which were obviously necessary for the administration of the simplest system of civil and criminal justice.⁷ In regard to

1. Ibid.

2. Ibid.

3. Ibid.

4. Ibid.

5. Ibid.

6. Ibid.

7. Ibid.

the Persian Gulf, it was thought advisable to await an expression of views of British Government, before applying the same considerations to places where our position was much less definable.¹

The Zanzibar order was passed in December 1884, and shortly afterwards the Government of India were informed by the Secretary of State that the British Government left it to their discretion to proceed in the matter of the draft order for the Persian Coast and Islands in the Persian Gulf.² A draft order was then prepared by the Government of India, more or less on the lines of the Zanzibar order, after consulting the Political Resident, and order, after consulting the Political Resident, and was forwarded to the Secretary of State.³

The reasons which rendered such an Order in Council necessary for the Persian Coast and Islands were (a) that British authorities there may be able to legally exercise jurisdiction over British subjects who were not Native Indian subjects, and over British protected persons including subjects of Princes and States in India in alliance with Her Majesty's and (b) that persons sentenced to imprisonment by those authorities might be sent to jail in India to undergo their sentences.⁴ The application of the order, as drafted, was required to be strictly limited to the Coast and Islands of the Persian Gulf, which belong to Persia.⁵ The Coast belonging to Turkey and Maskat have been regulated by separate orders; and the coast belonging to Arab Chiefs, with the Island of Bahrein, could, if necessary, be dealt with afterwards.⁶

For about a period of two decades the British Government were in correspondence with the Government of India, the Resident in the Persian Gulf, the British Minister at Tahrán

1. Ibid

2. Foreign Deptts. Progs., External A., Sept. 1887, Cons. 283-284.

3. Foreign Deptt. Progs., External A., Sept. 1887, Cons. 286. Despatch No. 110 dated 22nd July 1887, from the Government of India to the Secretary of State.

4. Foreign Deptt. Progs., External A., Sept. 1887, Cons. 288-291.

5. Ibid.

6. Ibid. also Cons. 293-296.

and the British Ambassador at Constantinople to come to a decision of the nature and extent of exercising British extra-territorial jurisdiction on the Persian Coast and Islands by passing the 'Persian Coast and Island Order in Council 1889'. But during the course of these two decades, the British Government took certain important decisions to extend their authority, both executive and judiciary, to a wider area in the Persian Gulf region, particularly on the Persian Coast and Islands.

Thus the Government of India, vide Notification No. 1275-P., dated 13th June 1873 had appointed the undermentioned officers as Justices of the Peace under the Foreign Jurisdiction Extradition Act of 1872 for the territories opposite their designation.¹

- (1) The Commissioner in Sind for the territories of the Khan of Kalat and possessions of the Sultan of Maskat in Baluchistan;
- (2) The Political Agent, Kalat-for the territories of the Khan of Kalat;
- (3) The Assistant Political Agent at Gwadar-for the territories of the Sultan of Maskat in Baluchistan;
- (4) The Political Resident in the Persian Gulf for the coast line from Gwadar westward of the Persian Gulf, all the shores of the Persian Gulf and the Gulf of Oman, with the Islands in these Gulfs, and the territories of the Sultan of Maskat in Arabia.

The Government of India had also appointed the officer for the time being holding the office of Assistant Political Resident in the Persian Gulf, being a European British subject to be a justice of the Peace and to exercise also the powers of Magistrate of the 1st class.² These powers were to be exercised within the whole coast and Islands of the Persian Gulf and the Gulf of Oman, with the exception of those portions which

1. Foreign Deptt. Progs., Secret, June 1873, Cons. 318-347.

2. Foreign Deptt. Progs., Political A., March 1877, Cons. 1-12.

the Persian Gulf, it was thought advisable to await an expression of views of British Government, before applying the same considerations to places where our position was much less definable.¹

The Zanzibar order was passed in December 1884, and shortly afterwards the Government of India were informed by the Secretary of State that the British Government left it to their discretion to proceed in the matter of the draft order for the Persian Coast and Islands in the Persian Gulf.² A draft order was then prepared by the Government of India, more or less on the lines of the Zanzibar order, after consulting the Political Resident, and order, after consulting the Political Resident, and was forwarded to the Secretary of State.³

The reasons which rendered such an Order in Council necessary for the Persian Coast and Islands were (a) that British authorities there may be able to legally exercise jurisdiction over British subjects who were not Native Indian subjects, and over British protected persons including subjects of Princes and States in India in alliance with Her Majesty's and (b) that persons sentenced to imprisonment by those authorities might be sent to jail in India to undergo their sentences.⁴ The application of the order, as drafted, was required to be strictly limited to the Coast and Islands of the Persian Gulf, which belong to Persia.⁵ The Coast belonging to Turkey and Maskat have been regulated by separate orders; and the coast belonging to Arab Chiefs, with the Island of Bahrein, could, if necessary, be dealt with afterwards.⁶

For about a period of two decades the British Government were in correspondence with the Government of India, the Resident in the Persian Gulf, the British Minister at Tahrān

1. Ibid

2. Foreign Deptt. Progs., External A., Sept. 1887, Cons. 283-284.

3. Foreign Deptt. Progs., External A., Sept. 1887, Cons. 286. Despatch No. 110 dated 22nd July 1887, from the Government of India to the Secretary of State.

4. Foreign Deptt. Progs., External A., Sept. 1887, Cons. 288-291.

5. Ibid.

6. Ibid. also Cons. 293-296.

and the British Ambassador at Constantinople to come to a decision of the nature and extent of exercising British extra-territorial jurisdiction on the Persian Coast and Islands by passing the 'Persian Coast and Island Order in Council 1889'. But during the course of these two decades, the British Government took certain important decisions to extend their authority, both executive and judiciary, to a wider area in the Persian Gulf region, particularly on the Persian Coast and Islands.

Thus the Government of India, vide Notification No. 1275-P., 'dated 13th June 1873 had appointed the undermentioned officers as Justices of the Peace under the Foreign Jurisdiction Extradition Act of 1872 for the territories opposite their designation.'¹

- (1) The Commissioner in Sind for the territories of the Khan of Kalat and possessions of the Sultan of Maskat in Baluchistan;
- (2) The Political Agent, Kalat-for the territories of the Khan of Kalat;
- (3) The Assistant Political Agent at Gwadar-for the territories of the Sultan of Maskat in Baluchistan;
- (4) The Political Resident in the Persian Gulf for the coast line from Gwadar westward of the Persian Gulf, all the shores of the Persian Gulf and the Gulf of Oman, with the Islands in these Gulfs, and the territories of the Sultan of Maskat in Arabia.

The Government of India had also appointed the officer for the time being holding the office of Assistant Political Resident in the Persian Gulf, being a European British subject to be a justice of the Peace and to exercise also the powers of Magistrate of the 1st class.² These powers were to be exercised within the whole coast and Islands of the Persian Gulf and the Gulf of Oman, with the exception of those portions which

1. Foreign Deptt. Progs., Secret, June 1873, Cons. 318-347.

2. Foreign Deptt. Progs., Political A., March 1877. Cons. 1-12.

were under the jurisdiction of the Political Agent at Maskat and the Assistant Political Agent at Gwadur.¹

Thus the Foreign Department Notification No. 1275-P., dated 13th June 1878, appointed the Resident in the Persian Gulf, being an European British subject, a Justice of the Peace within the territories to which he was accredited as the representative of the British Government. And the same notification named the Bombay High Court as the Court to which he should commit for trial.²

Subsequently the Resident was informed that the notification above cited did not authorize him to exercise jurisdiction over European British subject, because the Government of India had no power to legislate for such persons residing in the territories included in the Persian Gulf Residency.³ The Resident's jurisdiction could only rest upon usage or upon express authority given by an order in Council under the English Foreign Jurisdiction Act.⁴

Some difficulties, had however, arisen in connection with the exercise of powers under the notification of 1877. A native Indian committed the offence of selling a slave on Sharga and afterwards went to Bombay. The Resident wanted to try him at Bushire as a senior Judge. But the point was raised whether he could try a case in that capacity, which had not been committed to him by a first class Magistrate. To remove doubts on this point a notification was published concerning the powers of a Magistrate of the first class on the Assistant to the Resident in the Persian Gulf and of a Sessions Judge on the Resident in respect of offences committed by Native Indian subjects on any part of the coast line within the Persian Gulf and the Gulf of Oman.⁵ Council was placed in the position of a High Court in regard to orders and sentences passed by the Resident.⁶

1. Ibid.

2. Foreign Deptt. Progs., Secret, June 1873, Cons. 318-347.

3. Foreign Deptt. Progs., Political A., Oct. 1873, Cons. 389-392.

4. Ibid.

5. Ibid. Government of India Notification No. 2402-E.P., dated 6th Oct. 1881.

6. Ibid.

While correspondence was being conducted about the extension of the Foreign Jurisdiction Act to the Persian Gulf, the British Government decided to confer certain particular powers on the Resident, without waiting for a General order in Council.¹ In March 1879 Mr. R. Thompson sent to Colonel Ross the Queen's Commission appointing him to be the British Consul-General for the Province of Fars and the coasts and Islands of the Persian Gulf within the dominions of Persia together with 'Exalquator' issued by the Shah to enable him to act in that capacity, and a 'firman' to the Prince Governor of Fars.² Persian Coast and Islands Order in Council dated 13th December 1889 as well as a Persian Order in Council of the same date, which were published in the London Gazette of 24th December 1889.³ The main points of the orders can be summarised like this ;

- (a) Basis of the jurisdiction.—"Treaty, grant, usage, sufferance, and other lawful means (Preamble) ;"
- (b) Authorities for the order.—Power vested in the crown by Foreign Jurisdiction Acts, 1843-1878, or otherwise (Preamble) ;
- (c) Limits of the order. The coast and islands of the Persian Gulf and Gulf of Oman being within the dominions of His Majesty the Shah of Persia, including the territories of Persia adjacent to the said coast and islands (S.3) ;
- (d) Such of the provisions of this order as refer to British subjects or to British subjects only, extend to British protected persons, in so far as by treaty, grant, usage, sufferance and by other lawful means the Crown has jurisdiction within the Persian Coast and Islands in relation to such persons (s. 5 (2),

1. Foreign Deptt. Progs., Political A., April 1878, Cons. 160-161.
 2. Foreign Deptt. Progs., Political A., May 1880, Cons. 214-222.
 3. Foreign Deptt. Progs., External A., Oct. 1890, Cons. 55-115. Also Appendices Nos. 26 and 27 in (Persia) Aitchinson's Treaties. Vol. X.

British protected person defined as a person enjoying British protection within the Persian Coast and Islands, including by virtue of Statute Vic. 39 and 40, Cap. 46 (1876), a subject of a Prince or state in India in alliance with His Majesty, residing as being within the Persian Coast and Islands.

- (e) *Criminal matters* : The Persian Coast and Islands to constitute a quasi-district of the Bombay Presidency, the Judicial Assistant being District Magistrate, the Consul General being Sessions Judge, the Bombay High Court being the High Court (S. 8) ;
- (f) *Civil matters* : The Consul-General to be district judge, and the Bombay High Court the Highest Court of Appeal ;
- (g) *Vice-Admiralty* : For vessels and persons coming within the Persian Coast and Islands and in regard to vessels captured on suspicion of being engaged in slave trade, the Consul-General to exercise jurisdiction of the Courts of Vice-Admiralty ;
- (h) Jurisdiction of the Courts over non-British subjects.

It was also said that "Every suit in which a British subject is a defendant and a Persian subject is a plaintiff, shall within the Persian Coast and Islands be heard by a Court established under this order."¹

It also ruled that "Where a foreigner (a subject or citizen of a state in amity with Her Majesty other than Persia) desire to bring in a Court, established under this order, a suit against a British subject, or a British subject desires to bring in such Court a suit against a foreigner, not being a subject of a Muhammadan power, the Court shall entertain the same and shall hear and determine it."²

Subsequently amendments were made on the above provision of the order. By an order, the Persian Coast and Islands Order in Council, 1889, was amended by repealing the words

1. Ibid.

2. Ibid.

"not being the subject of a Muhammadan Power" and by directing that the order should be read and construed as if the words "Persian subject or" had been inserted before the word "foreigner" wherever that word occurs.¹

However the Persia Order, 1889, and the Persian Coast Order, differed inter alia in this that the head "Foreign" in the former included, and in the latter excluded, Persian subjects. But for this difference, articles 60-63 of the Persia Order were in almost identical terms with article 34 of the coast orders. If therefore article 33 of the latter order was repealed, and article 34 made to correspond with articles 60-63 of the former, Persian subjects would be on the same footing under both orders.² The Persian Coast order could be harmonized either by altering the interpretation of "Foreigner" in article 3, so as to make it include Persian subjects, or by making article 34 apply to Persian subjects, as it does to foreigners. This latter mode was thought to be simpler and better, and adopted accordingly.³

Colonel Kembell suggested that article 32 of the Coast order might be amended so as to give power to his First Assistant to try Vice-Admiralty cases during the absence of the Consul-General from Bushire.⁴ The Government of India, in submitting this suggestion to the Secretary of State, expressed their concurrence with Colonel Kembell as to the necessity of the proposed amendment.⁵ In March 1904, the Secretary of State telegraphed to say that it had been proposed to consolidate the Persian Coast order, and enquired what amendments the Government of India had to suggest.⁶ It was only suggested to amend certain articles so as to enable the

1. Foreign Deptt. Progs., External A., Jan. 18-6, Cons. 66-68.

2. Foreign Deptt. Progs., External A., May 1895, Cons. 79-87.

3. Ibid.

4. Foreign Deptt. Progs., External A., Sept. 1903, Cons. 39-40. Letter No. 101 dated 5th June 1903 from Col. Kembell to the Secretary, Foreign Deptt., Government of India.

5. Ibid. Despatch No. 118 dated 6th Aug. 1903, from the Government of India to the Secretary of State.

6. Foreign Deptt. Progs., External A., May 1904, Cons. 91-100.

Judicial Assistant to perform during the absence of the Consul-General ministerial acts of signing and sealing warrants directed or contemplated by these articles.¹ The secretary of State approved the proposal.²

The British took the period of about four decades to decide the legality of their exercise of extra-territorial jurisdiction on the Persian Coast. Before this, for a considerable number of years, even extending back to the time when the Arab Chiefs were Governors of Bushire, the British Resident at that place had exercised civil and criminal jurisdiction over a certain area. The nature and legal extent of the Criminal jurisdiction did not appear to be very clearly defined. The Civil jurisdiction seemed to embrace (a) all cases between the British subjects and the protected persons (who might be called the British clients); (b) all cases in which the same classes of persons were defendants; (c) all cases between these classes and others (not being Persian subjects) provided the parties consented, and (d) if a Persian subject was defendant, and a British subject plaintiff, the case was tried in the Persian Courts, but a Residency official might be deputed to watch the proceedings.

The exercise of such jurisdiction was definitely wider than what was authorised by the treaty of Paris ; and that so much of it, as was not vovered by the Treaty was irregular. However, a number of cases were referred to the British during this period and some of the important cases, which came to the British from 1870 onwards are discussed below.

An important case regarding the status in Persia of persons born of Persian subjects in British dominions, was raised by Colonel Pelly in 1872. The acting Advocate-General of Bombay, Mr. C.J. Mayhew, expressed his opinion that a natural born British subject, who is also entitled to the privileges of a Persian subject, is in Persia entitled to British protection, although he may not have ceased to be a Persian subject in accordance with Persia law and usage. This opinion

1. Ibid.

2. Ibid. Telegram dated 24th April April 1904, from the Viceroy of India to the Secretary of State.

was, according to Mr. Mayew, in consonance with Article 4 of 33 Viet C.14 (1870).¹ His opinion was communicated by the Government of Bombay to Colonel Pelly for information and guidance.² The same question arose in 1874 before the Government of India, and Mr. Paul, the officiating Advocate-General held that a person born in British territory of Persian parents and residing in Persia, was not entitled to British protection unless such right of protection was exercised by other powers.³

Without requiring any national character under the general sovereignty of the country, and not trading under any recognized authority of their own original country, they had been held to derive their present character from that of the association or factory under whose protection they lived and carried on their trade.⁴ These authorities explained the position that, in the absence of Treaty, local usage in Mahomedan countries in the east, has engrafted an exception to the general territorial jurisdiction in favour of Christians, by giving them the protection of their own factories and Consuls. But this exception would not extend to Mohamedans, who might be living, for the time being, in Mohamedan countries.⁵ This being the state of the law and usage in the absence of Treaty, it seemed most unlikely that the Persian Government intended to allow Persians, who may be Persian subjects as also British subjects to be exempted from the operation of their territorial law.⁶

The Government of India in endorsing this opinion desired that the Resident's interposition on behalf of such persons should be restricted to affording his good offices as in the case of ordinary Persian subjects.⁷

-
1. Foreign Deptt. Progs., Secret, Jan., 1871, Cons. 7-21.
 2. Ibid. Letter No. G.R. 5446 dated 14th Dec. 1872 from the Government of Bombay to the Political Resident in the Persian Gulf.
 3. Foreign Deptt. Progs., Political A., Sept., 1874, Cons. 54-70.
 4. Ibid.
 5. Foreign Deptt. Progs., Political A., Sept. 1876, Cons. 90-95.
 6. Ibid.,
 7. Ibid.

In 1876, the British Minister at Tehran had reported to the Foreign Office that the Persian Government had granted a Persian subject Agha Mehedi, born in India of Persian parents, the right of trading on payment of the 5 per cent duty established by treaty for British merchants.¹ But they had given notice that they would in future consider and treat such persons as Persian subjects within Persian territory. The British Foreign Office, after consulting the Law Officers held.

"Assuming the law of Persia applicable to the cases, which you expect may arise, to be correctly stated by the Persian Minister, Her Majesty's Government considered that a man born of Persian parents in Her Majesty's dominions cannot in Persia claim or be entitled to the privileges of a British subjects but is in Persia subject to all the obligations which the law of Persia imposes upon its own subjects."²

The British Minister at Tehran accordingly gave the Persian Government to understand that such persons would not be taken under British protection, while residing in Persia.³

However it was not intended that this view would affect persons like Mahomed Agha Mehedi whose position as British proteges had long been recognized.⁴ But the Persian Government declined to treat them as such and when Mahomed Agha Mehedi was charged the rates, levied on Persian subjects, and the British Minister made representations, the Persian Government contended that while only 5 per cent was to be levied from him the British legation ought not to interfere in his favour even if charges in excess of 5 per cent were extracted from him and that he should address his representation direct to the Persian authorities.⁵

In 1883 one Abbas Agha Hassan, who was born in Mauritius, complained to the Governor there that, on applying to the Resident on the Persian Gulf, he had been refused a pass and permission to trade as a British subject in Persia.⁶

1. Ibid.

2. Foreign Dept. Progr., Political A., Oct. 1877, Cons 121-122.

3. Ibid.

4. Ibid.

5. Ibid.

6. For. Dept. Progr., External A., Sept. 1884, Cons. No 213-219.

This led to a representation to Colonel Ross, who in reply pointed out that, although born in Mauritius, Abbas Agha Hassan was of Persian parentage and the fact of birth in a British dominion did not entitle such persons to British protection and privileges in Persia. However, only good offices could be extended to them by the Residency. The Resident quoted Lord Derby's ruling of July 1876 and the reply of Colonel Ross was approved by the Secretary of State for Foreign Affairs.¹

In 1884, an important case, which came up for consideration of the British Government in exercise of their extra-territorial jurisdiction on the Persian Coast was regarding the status in Persia of Persians born and domiciled in India and the British-born Persians. This was the case of Haji Mahomed Kermani. In 1884 the Persian Consul-General had raised two questions to the Bombay Government.

(1) Whether Government could grant certificates of naturalization to Persian born subjects domiciled in British India and (2) whether children born in British of Persian parents could be considered natural born British subjects. The Persian Consul-General contended that the British Government, according to the convention of 1857 (article 12), agreed not to accept any application from the Shah's subjects for naturalization and could not regard the latter class (2) as British subjects and could not grant certificates of naturalization to the class under (1). There was at this time also an application from Haji Mahomed Kermani, a Persian who had settled in Bombay in 1859, and had several children born in Bombay, whom he had sent to Yezd in Persia. He claimed a certificate declaring them British subjects, so that they might reside in Persia as such.²

The Government of India expressed the opinion that the certificates of naturalization could be granted to class No. 1 under Act of 1852, and that the treaty of 1857 did not

-
1. Ibid Letter No. 93 dated 29th Feb. 1884 from the British Poll. Resident in the Persian Gulf to the Governor of Mauritius.
 2. Foreign Deptt. Progs., External A., Sept, 1884, Cons. 220-232.

preclude such a course of action.¹ He however ruled that having regard to section 8, such persons could not claim in Persia, as against the Persian Government, the rights and privileges of a British subject.²

Another important case was regarding the status of a British naturalized subject of Persian obtained origin.

Abdul Hussain, whose father had obtained a certificate of naturalization in 1858 and with whom as a minor he had been then living, was travelling in Egypt with passport from the Government of Bombay describing him and his children as British subjects. The question arose whether he was amenable to the jurisdiction of the Persian Consul-General in Egypt.³ The case was referred to the Foreign office and Lord Salisbury decided that it was considered that the British Indian naturalization had no legal effect beyond the limits of British India⁴ and although Abdul Hussain's passport was sufficient to entitle him to British diplomatic and consular protection in foreign country it would not necessarily be sufficient in strict law to withdraw him from Persian jurisdiction in Persia nor from the jurisdiction of the Persian Consular Court in the Ottoman dominions, when those courts have extra-territorial jurisdiction.⁴ But as from enquiries made it had been found that Persian subjects, who received Persian naturalization had been treated as Russian subjects in Persia, Lord Salisbury decided that Abdul Hussain Shirazi should be considered and treated in Egypt as a British protected subject and as outside the Persian Consul-General's jurisdiction.⁵

One more case, which is important to discuss the subject was the dispute between Malek-ut-Tujjar and Moin-ut-Tujjar about certain immovable property at Bushire and the claim of the former to British Consular protection which came up in 1892.

1. Ibid.

2. Ibid.

3. Foreign Deptt. Progs., External A., March 1889, Cons. 8-12.

4. Ibid. Letter No. 16 dated 11th Jan. 1889, from Lord Salisbury to Sir E. Baring

5. Ibid.

The facts of the case are as follows. There were three brothers named Haji Abdul Mahomed, Haji Baba and Agha Mahomed Ali, all natives of Kazran in Fars. The second Haji Baba grandfather of the Malek-ut-Tujjar emigrated about the year 1830 to Calcutta, where he settled as a trader, and took out letters of naturalization as a British subject. Haji Baba had, with other issue, a son, named Mahomed Hussain, born in Calcutta and Mahomed Hussain had a son, who is the Malek-ut-Tujjar in question, also born in Calcutta. Subsequently Mahomed Hussain died while on pilgrimage to Kerbella, and the grandfather, Haji Baba, in 1870 was removed to Bushire with the grandson, the Malek, and settled there.¹

From 1870 continuously up to 1888 the Malek-ut-Tujjar resided at Bushire, and, while there, held offices under the Persian Government, including that of Governor of Bushire. During this period, he succeeded to the property of his grandfather and his two great-uncles and thus became involved in disputes with a nephew of the wife of Haji Abdul Mahomed, who is known as the Muin-ut-Tujjar. Finally, on the 19th April 1888, the Malek registered himself as a British Indian subject, at the British Consulate. In the latter part of that year he moved with his family to Bombay, where he had since lived, leaving agents in Persia to look after his interests there. In 1892 an application was made by the Moin-ut-Tujjar to the Persian Government for permission to take possession of immoveable property at Bushire belonging to the Malek, on the strength of certain documents of transfer said to have been executed by the latter.²

The British Resident's original view of the matter, in which the British Minister at Tehran had expressed his concurrence, was that the case was governed by the ruling conveyed by the British Secretary of State for Foreign Affairs to the British Minister at Tehran viz., "that a man born of Persian parents in Her Majesty's dominions cannot, in Persia, claim or be entitled to the privileges of a British subject, but he in

2. Foreign Deptt- Progs., External A., Sept. 1892, Cons. 232-258.

1. Ibid.

Persia subject to all the obligations which the law of Persia imposes upon its own subjects." According to this view the Malek could not claim in Persia the status of a British Indian subject. The Resident, however, modified this view in consequence of fresh instructions of the Foreign Department, which he understood to contain the ruling that registration as British subject, such as that affected by the Malek-ut-Tujjar at the Consulate was, binding unless invalidated by subject non-residence, and that a person so registered can claim protection against Persian Government.¹

The Government of India pointed out that Resident had misapprehended Foreign Department instructions. The question, with reference to which that letter was written, was merely whether he had the power to revise the list of persons registered as British and protected subjects, and the question was decided in the negative, on the grounds that the fact of registration of persons' name was merely evidence that a claim to be considered a British subject had been advanced, and was not so preposterous as to be summarily rejected. But that the registration did not bind even the Consul to treat a person so registered as British subject, and certainly did not operate as conclusive proof that such a person possessed the status claimed.²

On this particular case, the Government of India decided that, although Malek-ut-Tujjar was, by reasons of his birth within British dominions, of father who was then a British subject—a natural born British subject, his long and continuous residence at Bushire, combined with the fact of his entry into Persian service, warranted the conclusion that he had afterwards adopted a Persian domicile. It was, however, questionable whether his somewhat recent removal to Bombay had taken place under circumstances sufficient to revive his domicile of origin. This being the position, and in the absence of any treaty stipulations to the contrary, the Malek's rights to both immoveable and moveable property at Bushire should be

1. Ibid.

2. Ibid.

determined by the Persian Courts. The question of domicile would in any case only affect the claim to moveable property, and that, even if the case were one for the intervention of the Consul, the right of the Malek to immoveable property would be governed by the Persian law.

One more case may be explained which related to the status of persons born of Indians in Persia, this was the case of Mahomed bin Abdulla of Minab.

In october 1879 Colonel Ross referred the application of a person named Mahomed-bin-Abdulla, residing at Minab, near Bandar Abbas, in Persian territory, to be enrolled as a British Indian subject, and to be protected as such. The father of this man was in his youth a Hindu by religion and an inhabitant of Multan. He had emigrated to Persia and soon after became a convert to Muhammadanism and married a Persian woman of Minab. The applicant was the issue of the marriage, born in Persia, a land-owner and domiciled permanently, as was the father, in that country.¹ It was not alleged that the applicant (or any of the family) had ever been formally enrolled as a British subject, but he maintained that they have ever considered themselves entitled to that status.² The Persian officials, on the other hand, averred that the applicant had previously asserted himself a subject of Persia and had claimed him as such.³

In 1862 it was ruled that the Khojah or Lootiyah emigrants from Sind, who had settled before the British conquest of Sind, and acquiring a Maskat domicile, had never returned to their native country after its conquest, are not entitled to be considered British subjects. The same ruling would, the Resident presumed, apply to similar settlers in Persia, and in the present instance the fact of the original emigrant becoming a Muhammadan, strengthens the presumption that he had completely abandoned his native country as well as religion.⁴ It appeared, therefore, that the father was never

1. Foreign Deptt. Progs. Political A., Dec. 1879, Cons. 6.

2. Ibid.

3. Foreign Deptt. Progs. Political A., Dec. 1879, Cons. 7.

4. Foreign Deptt. Progs. Political A., Dec. 1879. Cons. 8.

Resident in the Persian Gulf, was appointed under Section 3 (4) of the Persian Coast and Islands Order in Council 1889, to be Judicial Assistant to the British Consul-General for Fars and the Coast and Islands of the Persian Gulf.¹

Under section 23 of the Persian Coast and Islands Order in Council and section 22 of the Bombay Civil Courts Act, 1869, the Government of India appointed, in 1891, the Judicial Assistant to be the Subordinate Judge with the local limits of the Persian Coast and Islands.² Under sections 24 and 28 of the said Act invested him with the powers of a first class Sub-Judge and Small Cause Court Judge with powers up to Rs. 500.

The Political Resident had recommended that the officer in Political charge of the Mekran Coast might be appointed a Magistrate of the first class within the territory of the Sultan of Maskat on the Mekran Coast under sections 4 and 6, Act XXI, of 1879 Foreign Jurisdiction and Extradition Act.³ He also recommended that the Director or the Persian Gulf Telegraph may be appointed a Subordinate Magistrate, first class, at the Telegraph Station of Jask and Charbar along the alignment of the telegraph line between the two places, under sections 12 and 22 of the Criminal Procedure Code and section 8 of the 'Persian Coast and Islands Order in Council.'⁴

As to the first proposal, the Government of India pointed out that the territory in question could not be held to be of Prince or State in India in alliance with the British within which only Justice of the Peace, whose jurisdiction is confined to European British subjects and their accomplices, could be appointed. The Government of India, however, held that there could be no objection to the officer, for the time being in

1. Foreign Deptt. Progs., External A., Oct. 1890, Cons. 72 to 115,
2. Foreign Deptt. Progs., External A., July 1891, Cons. 329-332. Foreign Deptt. Progs., External A., Oct. 1891, Cons. 1-2. Government of India Notification No. 1285 E dated 23 June 1891.
3. Foreign Deptt. Progs., External A., March 1894, Cons. 1-14 Political Resident's letter No. 82. dated 9th July 1892.
4. *Ibid.*

political charge of the Mekran Coast, exercising jurisdiction over Native Indian subjects in the Sultan's territory on that coast.¹ As regards the second proposal, the Secretary of State's sanction was asked, and as it was pointed out that there was a doubt whether even, under the operation of section 39 of the criminal procedure Code (which has been made applicable under "The Persia Coast and Island's order in Council") the officer in question could be appointed a Magistrate *ex-officio*; the powers in question had to be conferred personally. The Secretary of State sanctioned the proposals of the Government of India.²

British intervention on Persian claim to sovereignty over the islands of Sirri, Tamb and Abu Musa is another important and significant study in British diplomacy in the Persian Gulf region. From the year 1887-88 the Persian Government pursued vigorous policy in the Persian Gulf in order to assert Persian supremacy and to counter the British preponderance therein. The leaders of the movement were Amin-es-Sultan, who held the reins of Government at Tehran, Haji Ahmed Khan, for sometime a Deputy Governor of Bushire and Malek-ut-Tujjar, a wealthy Persian merchant at Bushire and a fortune-hunter, who had held the customs and Government of Persian ports for some time.³

In the month of August 1887, while he was engaged in dealing with disorders in the vicinity of Behrein, the British Resident, Colonel Ross, received information that the Persian Sartip (General Haji Ahmed Khan was about to visit Abu Thabi and other places on the Pirate Coast in the Bombay and Persian Gulf Steam Navigation Company's steamer 'Calder'.¹ Considering the expense entailed by this trip, and the season of the year, at which it was undertaken, the Resident suspected that the object in view was not, as given out merely to pay

-
1. Foreign Deptt. Progs., External A; March 1894 Cons. 1-14, Secretary of State's Despatch No. 10 Pol. dated 9 Feb. 1893.
 2. Ibid Secretary of State's Despatch No. 76 Pol. dated 2nd Nov. 1893.
 3. Persian Gulf Administration Report for the year 1887-1888.
 4. Foreign Deptt. Progs., A., June 1888, Cons. 54 to 56.

friendly visit to old friends, but must be of a more serious and important nature.¹ The Residency Steamer 'Lawrence' was despatched with the First Assistant Resident to Abu Thabi to observe the movements of Haji Ahmad Khan, and to endeavour to ascertain his purpose.² It appeared that Haji Ahmed Khan landed at Abu Thabi in full uniform and remained with the Chief for a few days, after which he went to Dubai, whence he again returned to Abu Thabi and finally sailed in a native vessel to Lingah.³

The British, however, could collect the precise nature of Haji Ahmed's communication to the Oman Chiefs, though the Haji had obtained promises that they would not divulge them to the British authorities.⁴ The Chief of Dubai, however, while adhering to his promise literally, considered himself free to inform the Sultan of Muskat of Haji Ahmad's proposals, which were framed with a view to the establishment of close political relations between the independent Chiefs of Oman and the Persian Government to the exclusion of the predominance of the British influence.⁵ To the British the action of certain local Persian authorities including Haji Ahmed, was calculated to arouse suspicion of some scheme being afloat, and these proceedings of the Persian agents, at first puzzling, became intelligible, and acquired a meaning and an interest.⁶ In these circumstances, the British Resident, in order to safeguard British position in relation to the Trucial Arab Chiefs of Oman, as well as to impress on their minds their own obligations to the British Government, hastened to obtain, from those chiefs, written assurances of their intention of maintaining the existing status, which was considered as the object of the

1. Ibid. Also Persian Gulf Administration Report for the year 1887-1888.

2. Ibid.

3. Ibid.

4. Foreign Deptt. Progs., External A. July 1888, Cons. 214 and 215

5. Foreign Deptt. Progs., External A., July 1888, Cons. 216.

6. Foreign Deptt. Progs., External A., July 1888, Cons. 217 & 218.

Persian designs to disturb.¹ Accordingly all the six Trucial chiefs, addressed the Resident letters containing assurances to the British Government that they would neither correspond with, nor form engagements with any other Foreign Governments, and would not, without assent of the British Government, consent to admit to reside in their territories agents of any Government but the British.²

In January 1888, Haji Ahmed Khan, having supplied himself with a humber of Persian Government flags, left Bushire on a special mission. On this occasion the Sartip proceeded in a native vessel to a place on the promontory called Ras-el-Bibal, or Cape Musandim and desired to land, but was warned off by the Arab inhabitants.³ Subsequently, accompanied by the Sheikh of Kishm and some armed men, he visited Umm-ul-Kowain causing excitement amongst the Arabs of that coast. Haji Ahmed explained that his object in visiting Oman again was of a personal nature. He was however unsuccessful and returned in disappointment to Bandar Abbas.⁴ The Persian Minister under whose orders the Sartip was acting on being questioned by British Charge 'd' Affaires, promptly and positively disavowed all knowledge of the Sartip's proceedings, and volunteered to reprimand him for his action.⁵ The Arabs of the Pirate coast, being considerably fluttered by Haji Ahmed's appearance and conduct, were informed by the Commander of British ship 'Osprey', which vessel was despatched for the purpose to the coast, that the Persian Government had disavowed and disapproved Haji Ahmed's proceedings. The presence of the 'Osprey' and the disclaimer of the Persian Government had a re-assuring effect on the minds of the Arabs of the Pirate Coast. It may be mentioned that

-
1. Foreign Deptt. Progs., External A., June 1888, Cons. 34 to 36.
Foreign Deptt. Progs., External A., July 1888, Cons. 216 to 218.
Also Persian Gulf Administration Report for the year 1887-88.
 2. Foreign Deptt. Progs., External A., July 1888, Cons. 216 to 218.
 3. Foreign Deptt. Progs., External A., Feb. 1888, Cons. 47 and 48.
 4. Foreign Deptt. Progs., External A., Aug. 1888, Cons. 447 to 458.
 5. Foreign Deptt. Progs., External A., Aug. 1888, Cons. 454 to 458.

Sartip Haji was subsequently presented with a sword of honour by order of the Persian Minister.¹

The Persian agents were active also elsewhere in the Gulf—in Bahrein, at Lingah and in the Sirri island. Malek-ut-Tujjar, whose enterprises were extended to these places, was soon discarded by Amines-Sultan and deprived of the customs and Government of Persian ports. He then offered the British Resident to make important disclosures about the 'intrigues' of Amin-es-Sultan, but his offers did not receive much encouragement from the British Resident.²

It appears that about beginning of the 18th century a portion of the Joasmi Arab tribe had crossed over from Arabia, and took possession of Lingah, the head of the family being called Sheikh of Lingah. Originally, like the Sheikhs of Bushire, the Sheikhs of Lingah were practically independent, but by degrees they gradually came under the power of the Persian Government, and finally acknowledged themselves Persian subjects, paying to the Governor-General of Fars such tribute as he could get out of them.³

The position of the Sheikhs appeared to have been very similar to that of the Arab Sheikhs on the other side of the Gulf, who used to yield a nominal submission to the rulers of Nejd, which the Turks had also claimed as the origin of their own authority, since they had overcome the power of the Nejd Chiefs.⁴ For many years, therefore, the Arab Sheikhs were de facto rulers of Lingah, being Governors or Deputy Governors of the place, and paying revenue either to the Governor-General of Fars direct, or more often to the official who had been Governor of Bushire and the other Gulf ports. In the latter case the Sheikh would be styled the Deputy Governor.⁵

-
1. Foreign Deptt. Progs., External A, Aug. 1888, Cons. 449 to 482. Persian Gulf Administration Report for the year 1887-1888.
 2. Foreign Deptt. Progs., External A., Aug. 1888, Cons. 480 to 482.
 3. Foreign Deptt. Progs., (Secret), External, July 1889, Cons. 369. Also Persian Gulf Administration Report for 1887-1888.
 4. Ibid. Col. Meade's demi-official letter dated 13.12.88.
 5. Ibid.

In 1878, the then Sheikh, Ali-bin-Khalifah, was murdered by a servant of his own tribe, though belonging to an inferior section of it. This man, whose name was Yusaf-bin-Mahomed, then became Sheikh, and ruled the place till he also was murdered in 1885 by one Sheikh Katib, a cousin of the Sheikh Ali, murdered in 1878¹. Sheikh Katib seized the Government of Lingah, and held it till September 1887, when he was captured by Haji Ahmed Khan Sartip, and taken to Tehran. The same month, that in September 1867, and immediately after the deposition of Sheikh Katib, Haji Ahmed Khan Sartip sent the Governor of Kishm Island to take possession of Sirri, and it was then that the latter with 30 men erected the Perian flag on the island.²

No attempt at exercising jurisdiction over Sirri island had been made until 1887, when Haji Ahmed Khan, 'a needy adventurer anxious to advertise himself and carry out what he understood to be the Sadr Azam's polity at that time', went about the Gulf trying to assert Persian claims to exercise jurisdiction over Bahrein and the pirate coast, and the islands between that coast and the coast of Fars.³

The British Legation at Tehran asked the Persian Foreign Minister to state on what grounds the Persian Government had annexed the island. The Persian Government replied that the Governors of Lingah had always held possession of the place and exacted taxes from its people and exercised jurisdiction over it.⁴ The British Legation pointed out in reply that it was quite true that the Deputy Governors of Lingah had exercised jurisdiction over the island of Sirri, but this was not in their capacity as Governors of Lingah, but as Joasmi Sheikhs, that they had traditional rights over the island of Sirri apart from the position as Governor of Lingah under the Persian Government which had been never disputed.⁵ Besides,

-
1. Foreign Deptt. Progs. (Secret)., External, July 1889, Cons. 368 and 369.
 2. Ibid.
 3. Foreign Deptt. Progs. External A., Sept. 1889 Cons. 85 to 90.
 4. Ibid.
 5. Ibid.

their Arab kinsmen on the Oman Coast shared in these rights, which the Persian domicile of the Lingah Joasmi Sheikhs could not take away from them.¹

The Amin-es-Sultan maintained that for nine years previously, the Sirri and Tamb Islands had paid taxes to the Persian Government and that documents in support of this could be produced at Bushire by Malek-ut-Tujjar. When the British Resident made enquiries as to what documents he possessed, he declared he had none.² The statement as to the payment of taxes was made only by one Yusuf Khan, dependent and servant of the Joasmi Chief Sheikh, Ali bin Khalifa, whom he had murdered in order that he might himself become Governor and Chief of Lingah.³ The discussion on the subject was continued till August 1888, when it was postponed by the British Legation, in order to facilitate the conclusion of the Hastadan boundary negotiation, which was then in progress. The latter question was settled in 1892.⁴

The question about the exercise of Persian jurisdiction over Sirri was raised again in 1894 by Colonel Wilson the British Resident in the Persia Gulf. Certain Arab subjects of the Chief of Dubai after receiving advances for pearl fishing had fled to the island of Sirri, and the Dubai Chief applied to the Political Resident for assistance in claiming in recovering the claims against the fugitives.⁵ The British political Resident therefore asked the Government of India for instructions as to how he should deal with the matter.⁶ The British Minister at Tehran, Mr. C. Greene, wrote to the Sadr-e-Azam, referring to the previous correspondence and the note received from the Minister for foreign affairs dated 25th September 1888, and

1. Ibid.

2. Foreign Deptt. Progs., External A., Sept. 1888, Cons. 88 to 90.

3. Ibid.

4. Ibid.

5. Foreign Deptt. Progs., External A., March 1895, Cons. 55 to 67.

6. Ibid. The issue was referred to the British Legation by telegram with the observation: "Persian claim still more untenable by removal of the Joasmi Sheikhs from office at Lingah and I trust you will press for removal Persian flag."

stated: "In the note above referred to, His Excellency stated that the Persian Government considered that no further proof was necessary in support of this claim, but no refutation was put forward in it of the argument of Her Majesty's Government that although the Government of Lingah had exercised jurisdiction over Sirri, they had not done so in this capacity as Governors but as Joasmi Sheikhs. Her Majesty's Government maintain the view that the custom of the Arabs is sound and that the Joasmi Sheikhs represented the family only and derived no right from their position towards the Persian Government."¹ The facts and arguments stated in the Viceroy's telegram were also repeated, and the Persian Government was requested to give necessary orders for the removal of the flag.²

The Sadr-e-Azam sent a reply to the British Minister at Tehran Mr. C. Greene, in which he explained and argued his claims over the Sirri islands. He contradicted the British view of Joasmi Sheikh's claim over the island and stated that even when the Joasmi Sheikhs were not the Governors of Lingah, 'the Persian Government had always exercised jurisdiction over Sirri island.' Besides, he stated 'the population of Sirri has never been confined to the Joasmis but people of various nationalities had resided there', and 'the submission of tribes, in time of need had nothing to do with the transaction of business.'³ He stressed that 'the Arab Sheikhs had always formed the Government revenues of the island from the Governors of Lingah'.⁴

Col. Wilson, the British Political Resident in the Persian Gulf, discussed the arguments Sadr-e-Azam in an interesting memorandum. With regard to the Persian exercise of jurisdiction, Col. Wilson stated that the argument of Sadr-e-Azam might refer to the Period, when the administration of Lingah

1. Ibid.

2. Ibid.

3. Foreign Deptt. Progs., External A., March 1895, Cons. 67. Letter dt. 6th Nov. 1894 from Sadr-e-Azam to Mr. C. Greene, British Minister at Tehran.

4. Ibid.

and Bundar Abbas, having been separated from Fars, Sad-ul-Mulk was appointed deputy for the administration under the *Amin-e-Sultan*.¹

Col. Wilson stated that since Sad-ul-Mulk held this charge from June 1883 to March 1884, i.e. for ten months, the proof of alleged jurisdiction could hardly be found.² Col. Wilson emphasized that 'the circumstances attending the assertion of Persian authority over the island, and the mode in which it was effected in 1887, did not point to a long established and well recognized possession, which had been effectively exercised by the lease of the revenues in the years immediately preceding'. He stated that in September 1887, an armed party with two small cannons was sent to erect a flagstaff and to hoist the Persian flag on Sirri and 'the proceeding certainly had not the appearance of an ordinary incident in the course of a long maintained possession.'³ Stressing about the claims of the Joasmis on the Persian Coast in the past, Col. Wilson argued that in 1809 a British naval and military expedition against the Joasmis, after dealing with Ras-al-Khywah, had to operate against them on the Persian Coast, destroying their boats at Lingah and attacking Luft.⁴ Besides, Col. Wilson held that similar action was taken in 1819-20, when the co-operation of the *Prince Governor of Shiraz* was requested in the operation against Lingah, Mughu, Charak and Tawanah, which had completely identified themselves with the Joasmis.⁵

With a view to strengthen British influence on the island it was considered that the island of Abu Musa should be substituted for Lingah as a port of call for the steamers of the Bombay and Persia Steam Navigation Company.⁶ The Political Resident suggested that the chief of Shargah, in whose

1. Foreign Deptt. Progt., Secret, external, Nov. 1895, Cons 79-85.

2. Ibid

3. Ibid.

4. Ibid

5. Ibid.

6. At this time Dubai also was attracting to itself the trade of Lingah and already steamers of the British Indian Steam Navigation Company and Bombay and Persian Steam Navigation Company had begun to call there.

possession the island of Abu Musa was, should fly his flag on it as a sign of ownership.¹ The Government of India desired that the Chief of Shargah should be advised to hoist his flag not only on the island of Abu Musa, but on the sister island Tamb.²

In April 1904, the Customs authorities of the Persian Government removed the Arab flag from the islands of Tamb and Abu Musa, hoisted the Persian flag in its place and left some Persian Guards on both the islands.³ The Viceroy wrote to the Secretary of State proposing that a gunboat should be sent with a representative of the Sheikh of Sargah to haul down the Persian flag, replace the Arab colours and remove the Persian guards to the Persian territory.⁴

Sir A. Hardinge, who was consulted by the British Foreign Office, was however, of opinion that before taking action, as proposed by the Viceroy, it would be advisable to afford the Persian Government an opportunity of removing the flags.⁵ The British Government concurred with this opinion, and Sir A. Hardinge accordingly spoke to Mons. Naus about the action of the Persian Customs Deptt.⁶ Mons Naus stated that Mons. Dambrain (Director-General of Persian Customs in the gulf) had been instructed by him in pursuance of the desires expressed by Mushir-ed Dowleh to establish the Persian authority over the islands of Tamb, Sirri and Abu Musa, and to ascertain the exact nature of the authority exercised by the British Government at Bassidore.⁷ Sir A. Hardinge had little doubt that the issue of these instructions was connected with the Viceroy's recent visit in the gulf, and that the Persian authorities had been

1. For. Deptt. Progs., (Secret), External, July 1903, Cons. 4 to 8.
2. Foreign Deptt. Progs., (Secret). External, July 1903, Cons. 8.
3. Foreign Deptt. Progs., (Secret), External). June 1904, Cons. 366.
4. Ibid. Cons, 367, Telegram dt. 12th April 1904 from the Viceroy of India to the Secretary of State for Foreign Affairs. London.
5. Foreign Deptt. Progs., (Secret). External, Feb. 1905, Cons. 259 and 260.
6. Ibid. Cons. 261.
7. Ibid. Cons, 252.

advised by the Russian legation to anticipate, while there was yet time, any seizure as a possible result of it by the British of the islands or other strategic points in those waters.¹

On 24th May 1904, Sir A. Hardinge reported to the Government of India that the Persian Government, while recovering its right to discuss with the British Government the claims as to Abu Musa and Tamb, had telegraphed orders to Bushire to remove Persian flags and guards from these islands.² In pursuance of the orders issued from Tehran the Persian flags were removed from the islands on the 15th June 1904.³ A few days afterwards Trucial flags were hoisted by the Chief of Shargah's men on both the islands and two of his men stationed on each.⁴

The British, however, wanted to avail of this opportunity in strengthening their influence over the islands. On his telegram dated 31st May 1904, Major Cox suggested to the Government of India that the present opportunity might be embraced to take some action regarding the Sirri islands in connection with which the position seemed identical with that of Tamb and Abu Musa islands.⁵ He also suggested that we should press the matter again on the Persian Government on a request to be made by the Chief of Shargah.⁶ From a report of Commander Kemp to the Naval Commander-in-Chief, it appeared hired Persian soldiers were posted on the island in charge of the flag staff, that the Persian flag hoisted in his arrival there and on Fridays.⁷ The Naval Commander-in-Chief in forwarding this report to the Government of India stated that Sirri is an important island to the British as are the islands of Tamb and Abu Musa and sugges-

1. Ibid. Cons. 263.

2. Ibid. Cons. 264 to 272.

3. Ibid. Telegram dt. 22nd June 1904 from Major Cox to Viceroy, Simla.

4. Ibid. Cons. 283.

5. Foreign Deptt. Progs., (Secret), External, Feb. 1905; Cons. 269.

6. Ibid. Cons. 275.

7. Ibid. Letter of Commander Kemp dated 9th June 1904 to the Naval Commander-in-chief.

ted that similar steps be taken with regard to it as were taken in connection with the two islands.¹

When Sir A. Hardinge explained to M. Naus that it would be difficult for the British to recognize Persian claims to it, he said he would strike Sirri out of the list of customs posts enumerated in the table. He hoped, however, that the British should not press for the removal of the few Persian coast guards, stationed on the island, which as a fishing centre was also a smuggler's resort.² A. Hardinge said that he had no instructions from the British Government on that point, but that it should be preferred that a regular customs station should not be established there, while the question of ownership was still uncertain.³ He thought, however, that the British might recognize Persia's sovereignty over Sirri in return for an abandonment by Persia of all claims to Tamb and Abu Musa and a pledge that it should never be ceded to any Foreign power. M. Naus said that he was preparing fair copies of the 'Reglement' for the acceptance and signature of the Russian Charged Affairs.⁴ Sir A. Hardinge also suggested to the Government of India that if any representation were to be made to the Persian Government as regards the Sirri island, no previous reference may be made to the Chief of Shargah, as it would raise hopes which might be falsified later on.⁵

As regards Tamb and Abu Musa islands, the Amin-ed-Dowlah suggested to Sir A. Hardinge that pending the discussion and decision as to the ownership, the Arab flags should not be re-hoisted on the islands.⁶ Sir A. Hardinge pointed out that the Arabs had only replaced the flags, which had been

-
1. Ibid. Cons. 276. Report dated 28th June 1904 from the Naval Commander-in-Chief to the Government of India.
 2. Foreign Deptt. Progs. (Secret), External, Feb. 1905, Cons. 292.
 3. Ibid. Letter dated 19th July 1904 from Sir A. Hardinge to Foreign Office, London.
 4. Ibid.
 5. Foreign Deptt. Progs. (Secret), External, Feb. 1905. Letter dated 22nd July 1904 from Sir A. Hardinge to the Government of India.
 6. Foreign Deptt. Progs., (Secret), External, Feb. 1905, Cons. 284.

pulled down by the Persians, while in the case of Sirri, the Persians had been allowed to continue to hoist this flag pending the decision of its ownership. There was, therefore, no reason to complain against the Arab proceedings. It was also limited that 'any controversy on the subject of the Tamb and Abu Musa islands might re-open the question of the ownership of Sirri, whose occupation by the Persians had only been 'tacitly and never formally recognized' by the British.¹

However, the energetic action of the British, in the case of these islands, earned for them a deep gratitude and appreciation of the Arab tribes of Oman,² who could not have been very much pleased in the occupation by the Persians of the Sirri island, an island which was inhabited by about 200 people and occupied more important position for purposes of the pearl fisheries than Tamb and Abu Musa islands.³ From subsequent reports it appeared that the Tamb island was used only for grazing purposes by a few temporary visitors from the Oman Coast.⁴

Subsequently the Governor of Bushire reported to Sir A. Hardinge that the Sheikh of Shargah was erecting buildings which were forts presumably on the island of Tamb,⁵ and that the Persian Government, in view of the protests against its occupation, have asked that this shall be stopped until the question of ownership, which they are prepared to discuss, is settled.⁶ He enquired about the facts from Major Cox.⁷ Major Cox replied that the report had not the slightest foundation.

-
1. Foreign Deptt. Progs., (Secret), External, Feb. 1905 Cons. 283. Letter of Sir. A. Hardinge to the Foreign Office dt. 19th June and 20th June 1904.
 2. Foreign Deptt. Progs., (Secret), External, Feb. 1905, Cons. 283, See enclosure.
 3. Ibid. Cons. 271.
 4. Foreign Deptt. Progs. (Secret), External, July 1903 Cons. 4 and 5. Col. Kembell's report dt. 30th April 1903.
 5. Foreign Deptt. Progs., (Secret), External, July 1905, Cons. 111.
 6. Ibid., Cons. 117.
 7. Ibid. Telegram dated 20th May 1905 from Sir, A. Hardinge to Major Cox at Muscat.

On 13th July 1905, Mr. Grant Duff telegraphed to Major Cox that the Darya Begi had informed the Persian Government that he had been to Tamb and that the Chief of Shargah had built 30 houses on the island.¹ Major Cox reported that the 30 houses were merely mud and thatched huts at the original village, that the re-opening of the question was believed to be due to Russian promptings, as one Russian Consular Agent at Bunder Abbas, had accompanied Darya Begi on his first trip.² Major Cox suggested that the British should refuse to discuss fictitious reports regarding Tamb, unless the Persians first removed their flag from Sirri.³ Major Cox referred to the Russian intrigues in regard to these islands.⁴ He attached great importance to the island of Tamb from a strategical point of view and suggested to adopt a firm attitude in view of the Persian movement at Sirri and Henjam.⁵

-
1. Foreign Deptt Progs. (Secret), External, Nov. 1905, Cons. 39.
 2. Ibid. Cons. 40. Major Cox's letter No. 350, dt. 23rd July 1905.
 3. Ibid. Cons. 41.
 4. Ibid. Cons. 42.
 5. Ibid. Cons. 43.

BRITISH RELATIONS WITH THE 'TRUCIAL CHIEFS' OF THE PERSIAN GULF 1860-1907

The Trucial Coast is an area which runs from the northern tip of Ras Musandam to Khor-al-Udayd at the eastern base of Qatar peninsula. Its earlier name was the 'Pirate Coast' but when in 1835, its Chiefs entered into truce with the British it came to be known as the 'Trucial Coast'. It was divided into Sheikhdoms or petty principalities, each with a considerable, and their number varied according to the ebb and flow of internal succession and land warfare. There were six Trucial Chiefs from north-west to south-west; Ras-al-Khymah, Umm-al-Qaywayn, Ejman, Sharjah (Ash-Sharqah), Dubai (Ad Dubai), and Abu Dhabi (Abu Zabi)¹: Of these Sheikhdoms, Sharjah and Abu Dhabi were most powerful and controlled much of the interior reaching the Gulf of Oman in the area Dibba-Khor-Kalba. Sharjah was the most important coast, as the British had stationed an 'Agent' here under the supervision of the British Resident at Bushire. The Resident represented the British Government in its relations with the Arab Chiefs possessing vague tutelary or protectorate status on the trucial Coast, but the Resident was responsible to the Viceroy of India. By various means, not excluding force, the British had imposed

1. Lorimer, J. C., *Gazetteer of the Persian Gulf; Oman and Central Arabia* (Calcutta, 1908-1915), Vol. I, p. 718; Alexander Melmid, 'Political Geography of Trucial Oman and Qatar', *Geographical Review* (N.Y.), XLIII (April 1953), pp. 194-206; J. G. Kally, *Eastern Arabian Frontiers* (London).

a series of treaties, in the 19th Century, which had ultimately culminated in a 'treaty of peace in perpetuity'. However, once piracy and slavery were controlled, the British intervened in internal affairs only when the agreements were broken, or when they were called upon to intervene by the local chiefs themselves, or when the changing events such as the exercise of Persian influence on the Trucial Coast started.

The British, due to their maritime supremacy, had obtained, at intervals, assurances from the tribal Chiefs of the Trucial Coast and had considered their territories under British protection.¹ The Persians, however, at intervals, were also engaged in exercising their influence on the Arabian Coast of the Persian Gulf and the territories of the Trucial Chiefs was the field of Anglo-Persian rivalry.² The year 1887-88 was remarkable for attempts made by the Persian Government to pursue a vigorous policy in the Persian Gulf especially on the Arab Coast, and assert Persian supremacy with a view to counter the British preponderance. The Leaders of the movement were Amin-es-Sultan, who held the reins of Government at Tehran, Sartip Haji Ahmed Khan, for some time a Deputy Governor of Bushire and Malek-ul-Tujar, a wealthy Persian merchant at Bushire, and an Anglo-phobe fortune-hunter, who held the customs and Government of Persian ports for some time.³

While the British Resident was engaged in dealing with 'disorders' in the vicinity of Bahrein,⁴ he received information that the Persian Sartip (General) Haji Ahmed Khan was about to visit Abu Thabi and other places on the Pirate Coast in the Bombay and Persian Gulf Steam Navigation Company's steamer 'Calder'.⁵ Considering the expense entailed by this trip, and the season of the year at which it was undertaken, the Resident suspected that the object in view was not, as

-
1. Busch, Briton C., *Britain and the Persian Gulf, 1895-1914*, p. 8.
 2. *Persian Gulf Administration Report for the year 1887-1888*, pp. 3238.
 3. *Ibid.*
 4. *Foreign Deptt. Progs., External. A., June 1888, Cons. 54-56.*
 5. *Ibid.* Also *Gulf Administration Report for the year 1887-88.*

given out merely to pay a friendly visit to old friends, but must be of a more serious and important nature.¹ The Residency steamer 'Lawrence' was despatched with the First Assistant Resident to Abu Thabi to observe the movements of the Sartip, and to ascertain his purpose. It appeared that Haji Ahmed Khan landed at Abu Thabi in full uniform and remained with the Chief a few days, after which he went to Dubai, from where he again returned to Abu Thabi and finally sailed in a native vessel to Lingah.²

The precise nature of Haji Ahmed's communication to the Oman Chief was not known at the time, the Haji having obtained promises that they would not divulge them to the British authorities.³ The Chief of Dubai, however, while adhering to his promise literally, considered himself free to inform the Sultan of Musket of Haji Ahmed's proposals, which were framed by the Chief of Oman and the Persian Government, to the exclusion of the predominance of British influence.⁴ It was obvious that those who were at the time entrusted with the reins of power and practically directed the policy of the Persian Government, had a plan to replace British by Persian supremacy over the shores of islands round the Persian Gulf.⁵ The action of certain local Persian authorities, including Haji Ahmed, was calculated to arouse suspicion of some such scheme being afloat.⁶

With these developments the British Resident, in order to safeguard British position in relation to the Trucial Arab Chiefs⁷ as well as to impress on their minds their own obligations to the British Government,⁸ demanded from those

1. Foreign Deptt. Progs., External, A., June 1888, Cons. 54-56. Also Gulf Administration Report for the year 1887-88.

2. *Ibid.*

3. Foreign Deptt. Progs., External, A., July 1888, Cons. 214.

4. *Ibid.*

5. *Ibid.*

6. Foreign Deptt. Progs., External, A., July 1888, Cons. 215.

7. Foreign Deptt. Progs., External; A., July 1888, Cons. 216.

8. Foreign Deptt. Progs., External, A., Feb. 1888, Cons. 47.

Chiefs written assurances of their intention of maintaining the existing status, which was considered to be the object of the Persian plans to disturb.¹ Accordingly all the six Trucial Chiefs addressed the Resident letters containing 'assurances' to the British Government that they would neither correspond with, nor form engagements with any other Foreign Government, and would not, without assent of the British Government, consent to admit to reside in their territories, agents of any Government but the British.²

Sartip Haji Ahmed Khan, collected a number of Persian Government flags and left Bushire in January 1888, on a special mission.³ The Sartip proceeded in a native vessel to a place on the promontory called Ras-al-Bibal, or Cape Musendim and desired to land, but was warned off by the Arab inhabitants.⁴ Subsequently, accompanied by the Sheikh of Kishm and some armed men, he visited Umm-ul-Kawain causing such excitement amongst the Arabs of that coast. Haji Ahmed gave out that his object in visiting the coast was 'of a personal nature,'⁵ but his real purpose was no secret.⁶ He was utterly unsuccessful and returned in disappointment to Bunder Abbas.⁷ The Persian Minister, under whose orders the Sartip was acting, on being questioned by the British Charge d' Affairs, promptly disavowed all knowledge of the Sartip's proceedings, and volunteered to reprimand him for his action.⁸ The Arabs of the Pirate Coast, being considerably fluttered by the Haji Ahmed's appearance and conduct, were informed by the Commander of the British Ship 'Osprey', the vessel which was despatched for the purpose to the Coast,⁹ that the Persian

-
1. Foreign Deptt. Progs., External, A, July 1888, Cons. 216. and 217.
 2. Foreign Deptt. Progs., External, A., July 1888, Cons. 218; Gulf Administration Report for the year 1887-1888.
 3. Foreign Deptt. Progs., External A., Feb. 1888, Cons. 47.
 4. Ibid., Foreign Deptt. Progs., External, A., August 1888, Cons. 447-456.
 5. For. Deptt. Progs., External A., August 1888, Cons. 447-461.
 6. Ibid., Cons., 458.
 7. Ibid., Cons., 463.
 8. Ibid., Cons. 465-466.
 9. Ibid., Cons. 449.

Government had disavowed and disapproved Haji Ahmed's proceedings.¹ The presence of the 'Osprey' and the disclaimer of the Persian Government had a re-assuring effect on the minds of the Arabs of the Pirate Coast.² Sartip Haji was subsequently presented with a sword of honour by order of the Persian Minister.³

The activities of the Persian were alarming to the British, who were not inclined to surrender their influence on the Trucial Coast, to any other power.⁴ Thus with a view to counter the growing Persian influence on the Arabian side of the Gulf, the British entered into agreements with the Trucial Chiefs and obtained assurances from the Chiefs of Abu Thabi, Ras-ul-Khima, Ejman, Umm-ul-Kowein, Sharqah and Dubai on various dates in December 1887,⁵ in which they bounded themselves that on no account to correspond or enter into an agreement with any Government whatever except the British; and without the assent of the British Government not to consent to allow an agent of any Government except the British to reside within their dominions.⁶ The Government of India sent these agreements to the Secretary of State referring to them as assurances of their loyal adherences to their connection with the British Government.⁷

After the death of Sultan-bin-Saggar, the Joasmi Chief, in 1866, the tribute paid by Abdullah-bin-Khamis, Chief of Sharkiyyin village of Fujeria, was discontinued. Sometimes after, the Chief of Shargah (Sheikh Salim-bin-Sultan) put a garrison into town of Dibba of the Nakbiyyin Sharkiyyin. The Sharkiyyin formed confederacy under the Sheikh of Fujera, and entered into an offensive and defensive alliance with Shihiiyyin under Saleh-bin-Muhammad, Chief of Beyah. The Joasmi garrison of Dibba plundered Shihiiyyin, on which

1. *Ibid.*, Cons. 471-474.

2. *Ibid.*, Cons. 476-478.

3. *Ibid.*, Cons. 481-82.

4. *Ibid.*, Cons. 452.

5. Foreign Deptt. Progs., External A., August 1888, Cons. 613-617.

6. *Ibid.*,

7. Foreign Deptt. Progs., External, A., August 1888, Cons. 622.

Shihiiyyin and Sharkiyyin besieged the fort and stopped passes.¹ The Chief of Fujaira on the East Coast of Oman had, in April 1879, complained to the Sultan of Maskat that the Joasm Sheikh Salim-bin-Sultan had visited Fajaira with an army, ill-treated his people and seized and sent some of them to the island of Abu-Musa.² The Sheikh of Fajaira was, therefore, sought to be placed under the protection of the Sultan of Maskat.³ Sayyed Turki referred this matter to Lieutenant-Colonel Miles, British Political Agent at Maskat and emphasised that the Sultan was claiming sovereignty over Fajaira. Colonal Ross, the British Political Resident, expressed the opinion that the place had been under the authority of the Joasmi Chiefs since the time of Sultan-bin-Saggar, and that there was no reason for the British interference.⁴

The British Indian Government was inclined to accept this opinion, but wished that it should be explained to the Sultan of Maskat and it should be ascertained whether he had any reasonable grounds for demurring to it.⁵ The view expressed by the Sultan of Maskat was significant, as it tacitly admitted the right of the Joasmi Chief to tribute from the Sheikh of Fajaira.⁶ The British Political Agent at Maskat reported, in January 1880, that on the Joasmi Chief seizing Fajeirah, Hamad-bin-Abdullah had fled and sought refuge in Maskat, that he had left Maskat also and succeeded in retaking it partly by treachery.⁷ The Joasmi Chief then asked permission to send an expedition by sea to take Fajeirah.⁸

The British Indian Government after some further correspondence, approved of the view of discouraging the

-
1. Ibid.
 2. Foreign Deptt. Progs., Political A., Sept. 1879, Cons. 716-720.
 3. Ibid. Cons. 722-725.
 4. Ibid. Cons. 726-728.
 5. Ibid. Cons. 729-731.
 6. Foreign Deptt. Progs., Political, A., Nov. 1879, Cons. 251-52. Letter dated 25th Sept. 1879 from the Sultan of Maskat to the Government of India.
 7. Foreign Deptt. Progs., Political A., Feb. 1880. Cons. 343-44.
 8. Foreign Deptt. Progs., Political A., May 1881, Cons. 284-311.

proposal regarding the interference of Maskat in the affairs of Fajeira, and held "that the portion of the coast of Oman between Dibba and Khor Kalba should be considered subject to the operation of the maritime truce." "It is presumed that the eastern side of Cape Mussendum down to Dibba is regarded as being on the same footing."¹ On the last point, the Resident reported that the "eastern side of Cape Mussendum should be considered subject to the operation of the maritime truce, as far as it may, from time to time, be convenient and to the interests of Government to enforce it." But owing to the configuration of the coast, and the 'wretchedly poor and the insignificant condition of the inhabitants and villages', he did not think it advisable to interfere much in their petty quarrels even if the fishermen of one village attacked those of another using their fishing boats. However, if the occasion demanded, he stressed, there would be no difficulty for him in exercising active control.²

Another development on the Anglo-Persian rivalry on the Trucial Coast was the Persian complaint about the Sheikh of Ras-ul-Khima harbouring the exiled Sheikh of Lingah and companions and his attempts to capture Lingah from its Joasmi Sheikh. The British Minister at Teheran was informed in October 1899 by the Sadr-e-Azam that Sheikh Alghad and Saiyid Yusuf, who were alleged to have been responsible for the recent rising at Lingah, had escaped to the Arabian Coast.³ It was said that the Shah feared that they might return with a new following,⁴ and hoped that the Indian Government would take such steps as could prevent their collecting men with a view to making a descent on Lingah.⁵ The Government of India, instructed the Resident to warn

-
1. Foreign Deptt. Progs., Political A., Jan. 1882, Cons. 714, Letter No. 2188-EP, dated 17th Sept. 1881 from the Secretary, Foreign Deptt., Government of India to the British Political Resident in the Persian Gulf,
 2. Ibid.
 3. Foreign Deptt. Progs., Secret, (External), Nov. 1899, Cons. 5.
 4. Ibid. K.W.
 5. Foreign Deptt. Progs., Secret, (External), Nov. 1899, Cons. 6.

the Trucial Chiefs not to assist any schemes for an attack on Lingah, and to communicate to the Legation any information he might receive regarding such designs.¹

The Persian Government, again, in January 1900 complained that Sheikh Mahomed had taken refuge at Ras-ul-Khima² and had been harboured by its Chief,³ and that the latter intended to make a hostile demonstration against Lingah in aid of Sheikh Mahomed.⁴ The Persian Government intended to take measure to chastise the Arab Chief,⁵ and before doing so asked the British Government to intervene.⁶

The Resident, who was asked to report, stated that the Trucial Chiefs had been warned, in October 1899, against assisting in any schemes for renewed attacks of Lingah, that the warning was repeated when Colonel Meade had visited the Arab Coast in December.⁷ Sheikh Hamid of Ras-ul-Khima stated that Sheikh Mahomed's attack on Lingah was made against their wishes, and that they had lost, in consequence, properties which had belonged to the tribe generally.⁸ Sheikh Hamid had, however, promised to conform to the Resident's advice and said that he would submit later on detailed claims for the property of Joasmi Arabs taken by the Persians in Lingah.⁹ The Resident then sent a fresh warning to Sheikh Hamid to give up all idea he might have of making a descent on Lingah.¹⁰ On the other hand, Darya Begi, the Resident thought, had not the means to attack Ras-ul-Khima effectively

-
1. Foreign. Deptt. Progs., Secret, (External), Nov. 1899, Cons. 7. Telegram dated 21st October 1899 from the Secretary, Foreign Deptt., Government of India to the British Political Resident in the Perian Gulf.
 2. Foreign Deptt. Progs., Secret, (External), March 1900, Cons. 176.
 3. Foreign Deptt. Progs., Secret, (External), May 1900, Cons. 54.
 4. Foreign Deptt. Progs., Secret, (External), March 1900, Cons. 177.
 5. Foreign Deptt. Progs., Secret, (External), May, 1900, Cons. 56.
 6. Foreign Deptt Progs., Secret, (External), March 1900. Cons.
 7. Foreign Deptt. Progs., Secret, (External), May 1900, Cons. 57.
 8. Foreign Deptt. Progs., Secret, (External), May 1900, Cons. 58.
 9. Ibid.
 10. Ibid. Cons. 59.

and any attempt to do so might result in the loss of the Persian Gulf.¹ Sheikh Hamid was informed that there was no foundation in the rumour about the intended descent on Lingah.

Following these events at Lingah, the Sheikh of Abu Thabi was found in communication with the Darya Begi, Governor of Bushire, and sending him a present of two horses.² In return the Sheikh had received as word and a 'firman' from the Sadr-e-Azam, at the recommendation of Darya Begi, in recognition of the Sheikh's services and merits.³ The 'firman' was read by the Sheikh at a Darbar.⁴ The Chief of Abu Thabi also adopted a green flag in place of an Arab flag which he used to fly usually.⁵ Colonel Kembell called upon the Chief to explain his proceedings, the latter stated that the cause of the recent intercourse between him and Darya Begi was the 'high handed proceedings of the Governor', when he captured Lingah, towards some Arabs of Abu Thabi.⁶ They had been defrauded of a large sum of money due to them by a Persian,⁷ and the Sheikh's desire to gain the protection of the Persian authorities.⁸

The green flag was adopted in order to distinguish the Abu Thabi boats from those of other Arabs and to secure their being interfered with by the Persian authorities.⁹ There was little doubt, however, that Darya Begi's ulterior motive on the issue was to detach the Chief of Abu Thabi, from the other Trucial Chiefs in connection with the events at Lingah.¹⁰ As the action of the Persian Government had created a feeling of

1. Ibid. Cons. 58. Telegram dated 28th January 1900 from the British Political Resident in the Persian Gulf to the British Minister at Tehran.

2. Foreign Deptt. Progs., Secret, (External), Oct. 1900, Cons. 286.

3. Ibid. Cons. 287-289.

4. Ibid.

5. Foreign Deptt. Progs., Secret, (External), Oct. 1900, Cons. 292.

6. Ibid. Cons. 290.

7. Ibid. Cons. 294.

8. Ibid. Cons. 290.

9. Ibid. Cons. 290-294.

10. Ibid. Cons. 29.

unrest among the other Trucial Chiefs,¹ Colonel Kemball suggested to the Charge d' Affairs at Tehran that he might inform the Persian Government that in view of the existing relations of the British with the Trucial Chiefs, any interference on the part of the Persian authorities in the affairs of these chiefs was likely to give rise to complications which it would be advisable to avoid.²

In connection with the green flag adopted by the Chief of Abu Thabi, the Resident verified the flag used by the other Trucial Chiefs, and found that the flag prescribed by the Treaty of 1820 was rarely used.³ Colonel Kemball proposed to issue a circular letter to all the Trucial Chiefs informing them that they should not, in future, use any other flag than that prescribed for them by the Treaty of 1820.⁴ The British Indian Government had approved of this proposal.⁵ Colonel Kemball reported in October 1901, that the Chief of Abu Thabi had, after some pressure upon him, abandoned the use of the new flag.⁶ No further report was received from Gulf as to the use of the Trucial flag, until Major Cox reported, in May 1905, that the Trucial flag was conspicuous by its absence and proposed with a view to the adoption of the treaty flag that-(a) each Trucial Chief should be furnished gratis and that the supply of the required number of flags should be obtained by annual indents on the Bombay Arsenal on payment.⁷ These proposals were approved by the British Indian Government and necessary orders were passed for the supply of flags.⁸

-
1. Ibid. Cons. 292-299.
 2. Foreign Deptt. Progs., Secret, (External), Oct. 1900, Cons. 292-299.
 3. Ibid. Cons. 293 and 296.
 4. Ibid. Cons. 297.
 5. Ibid. Cons. 299. Despatch No. 323 E.A., dated 25th Feb. 1901 of the Government of India, to the Political Resident in the Persian Gulf.
 6. Foreign Deptt. Progs., Secret, (External), Nov. 1901, Cons. 56-57.
 7. Foreign Deptt. Progs., Secret, (External), July 1905, Cons. 284.
 8. Ibid. Cons. 285. Despatch No. 2338-E.B. dated 17th June 1905 from the Secretary. Foreign Deptt., Govt. of India to the British Political Resident in the Persian Gulf.

The British exercise of 'protection' was further demonstrated in the claims of certain Trucial Chiefs against the Persian Government with the exercise of British representatives to act for the Chief of the Trucial Coast. The British Resident, in May 1903, requested Sir A. Hardinge the British Minister at Tehran, to make representations to the Persian Government and secure restoration of certain arms of the Chief of Abu Thabi, seized by the Customs officials.¹ He also requested to find out a satisfactory settlement of two other cases relating (a) to the alleged murder of Abu Thabi subjects on Pearl banks by residents on the Persian Coast, (b) to a claim of the Chief of Shargah's uncle to date gardens at Lingah.² The British Indian Government in requesting Sir A. Hardinge to look in these matters, stated that the maintenance of the Resident's prestige as representative of the Trucial Chiefs in such cases was a matter of the highest importance.³ Sir A. Hardinge, in June 1903, telegraphed to the Government of India that the Grand Vizier had ordered the restoration of the confiscated arms of the Sheikh of Abu Thabi, and an enquiry into the two other matters.⁴ Sir A. Hardinge was, however, ignorant of the agreements signed by the Trucial Chiefs in 1892.⁵ The Resident therefore sent to him a copy of the agreements and stated that they gave the British Resident the right to represent cases on behalf of the Trucial Chiefs to the Persian authorities.⁶

The British Indian Government endorsed this view and stated to the British Minister at Tehran that under the treaties with the Trucial Chiefs the British representatives had full rights of acting for them with the Persian Government.⁷ Sir

1. Foreign Deptt. Progs., Secret, (External), Oct. 1903, Cons. 50-5.

2. Ibid.

3. Ibid. Telegram dated 9th June 1903 from the Secretary, Foreign Deptt., Govt. of India, to the British Minister at Tehran.

4. Foreign Deptt. Progs., Secret, (External), Oct. 1903, Cons. 52-55.

5. Foreign Deptt. Progs., Secret, (External), Oct. 1903, Cons. 52-55. Telegram dated 29th May 1903 from the British Minister at Tehran to the British Political Resident in the Persian Gulf.

6. Foreign Deptt. Progs., Secret, (External), Oct. 1903, Cons. 54.

7. Ibid. Cons. 55. Telegram dated 26th Aug. 1903 from the Secretary, Foreign Deptt., Govt. of India, to the British Minister at Tehran.

A. Hardinge replied that being now in possession of a copy of the agreement of 1892, he would take the same line in the case of the subjects of the Trucial Chiefs properly so-called, as in the case of the Bahreinese subjects, that is, maintain the right of the British Legation to interfere in their behalf.¹ Sir A. Hardinge in September 1903, addressed the Grand Vizier regarding the meaning of the expression "countries placed under the protection of the British Government" for the purpose of the Anglo-Persian Tariff Agreement of 1903.² He held that it applied to "countries not forming part of the British Empire, but whose foreign relations were to a greater or lesser degree regulated by the British Government and towards whom that Government had assumed certain special and definite responsibilities which may be conveniently summed up the term 'protection'".³ He remarked that to take a concrete instance in the immediate vicinity of Persia, some of the petty Arab States on the southern shores of the Persian Gulf came within the definition.⁴

In 1904, with reference to a question raised by the Colonial Office on the status of the Federated Malay States, M. Naus had raised some doubts as to whether the sovereign power in those States was theoretically vested in the local Sultans or with the British, this being in his view the point upon which the question whether they were a colony or a foreign protected country.⁵ He had explained that his object was to guard himself against making an admission which might commit him to the recognition as "colonies" entitled to grant England preferential treatment of such states as Afghanistan and the territories of the Trucial Chiefs.⁶ Sir Hardinge stated that he

1. Foreign Deptt. Progs., Secret, (External), April 1903, Cons. 45-46, Despatch No. 34 dated 18th Sept. 1903 from the British Minister at Tehran to the Secretary, Foreign Deptt. Govt of India.
2. Foreign Deptt. Progs., Secret, (External), Aug. 1903 Cons. 280-312.
3. Foreign Deptt. Progs., Secret, (External), August 1903, Cons. 280-312.
4. Ibid.
5. Foreign Deptt. Progs., Secret, (External), July 1905, Cons. 11 K.W.
6. Ibid.

could not answer the points which M. Naus had raised, but that it seemed to him that M. Naus' object would be attained if in a note has issued by the Foreign Office recognizing the Malay States as a colony¹ For the purposes of the Anglo-Persian Declaration, he suggested a reservation to the effect that this admission would not bind Persia by analogy to apply it to the cases of Afghanistan and the Arab States of the Gulf in view of the peculiar relations, which they occupied to the British Indian Government.* M. Naus also addressed a note, to Sir A. Hardinge, in which he admitted that the Federated Malay States might, from an economic point of view, be considered as a quasi-dependency of British India, so that the question raised by the Colonial Office might be answered in the affirmative. This may be done with the reservation, that the consent of the Persian Government, as regards the said States, should not be taken as applicable to States placed under partial protection or under good offices. This reservation had special reference to Afghanistan and to the Arab States on the southern shore of the Persian Gulf.²

There were some more developments on the Trucial Coast, with which the British felt uncomfortable and which led them to renew their old agreements with the Trucial Chiefs by the then ruling Chiefs. An important one related to the activities of Mr. Chapay, a Frenchman, who was a 'half-adventurer and half-merchant' according to the British. In 1891, he paid, with another Frenchman named Thormy, three visits to Umm-ul-Kowein, for the purpose of purchasing shells, but probably to gain an ascendancy over the Chief in French interests. During his visits to Umm-ul-Kowein, M. Chapay gave some valuable presents to the Chief and became very intimate with him. The Chief seemed to have been deeply impressed with

-
1. Foreign Deptt. Progs., Secret, (External), July 1905, Cons.11 K.W.
 2. Ibid. K.W. No. 2. Note dated 22nd June 1904 from M. Naus to Sir A. Hardinge.
 3. Foreign Deptt., Progs. Secret, (External), July 1892, Cons. 24-25.

the power of France, inability of the British to interfere with dhows carrying French colours, and practical impunity with which the Sur boats, about 30 in number, carried slaves under the protection of the French flag. He seemed to have welcomed, with gratification, proposals made by the French visitors for a return to status ante-quo, when his subjects carried on slave trade with so much profit, but which had been put a stop by the British. He went so far as to propose to write a letter to the French Government through the two Frenchmen stating that any one coming to his country from the French Republic would be gladly welcomed.¹

Major Talbot suggested to amplify the earlier assurances with the Chiefs by the conclusion of a fresh agreement embodying a provision against the cession by the Chiefs of any portion of their territories to any power but England.² He referred to the activity of M. Chapuy and his partner and complained that the Chief of Umm-ul-Kawain had granted them a piece of land near his own residence.³ Mr. Talbot also apprehended pretexts of interference by the Ottoman Government in the territories of the Trucial Chiefs, and he submitted a draft agreement, which included the substance of the one negotiated in 1887. He stressed that although it was valid yet it only applied to the Chiefs, then in power, and did not bind their successors.⁴ The draft agreement proposed by Major Talbot was approved by the Government of India with slight amendaments.⁵ The proposed agreements were concluded with the Chiefs of Abu Thabi, Dubai Ejman, Shargah, Ras-ul-Khima, as also the Sheikh of Bahrein on various dates in March 1892.

-
1. Foreign Deptt. Progs., Secret, (External), July 1892. Cons. 24-25. Letter No. 167 dated 19th October 1892 from Major Talbot, Secretary, Foreign Deptt., Government of India.
 2. Ibid.
 3. Ibid.
 4. Ibid.
 5. Foreign Deptt. Progs., Secret, (External), July 1892, Cons. 32. Letter No. 1-OC dated 24th November 1891 from the Secretary, Foreign Deptt. Government of India to Major Talbot.

Under the new agreements the Chief bound themselves, their heirs and successors to these conditions: (1) "on no account shall any agreement or correspondence be entered into with any power other than the British Government. (2) Without the assent of the British Government, they shall not consent to the residence within their territories of the Agent of any other Government. (3) On no account shall they cede, sell, mortgage or otherwise give for occupation any part of their territory save to the British Government." The Secretary of State approved of this agreement with the Trucial Chiefs.¹

When in 1900 the Sheikh of Ejman usurped the Chiefship, he informed the British Resident of his accession that he had signed the agreements of his predecessors with the British Government, promising at the same time to abide by them. The Resident wrote in reply expressing his pleasure at learning of the Chief's resolution.² There was no precedent for a proceeding like this, where a new Chief signed agreements of his predecessors. It was considered, Colonel Kemball reported, that a new Chief is bound at his accession by his predecessors' engagements.³ The British Indian Government endorsed the view of Colonel Kemball that the various engagements which had been executed by individual Trucial Chiefs were necessarily binding on their successors.⁴ But the Government considered that it was necessary to ensure that each such successor was clearly acquainted with the provision of the agreements.⁵

The British, with the largest number of ships, having effective fighting capability, were the strongest naval power in the Persian Gulf; and by virtue of their strength, they were able to exercise enough influence on the states bordering the

1. Foreign Deptt Progs., Secret. (External), September 1892 Cons. 15-18. Despatch No. 27 (Secret), dated 8th July 1892 from the Secretary of State to the Viceroy of India.

2. Foreign Deptt. Progs., Secret, (External), April 1901, Cons. 93-94.

3. Foreign Deptt Progs., Secret, (External), April 1901, Cons. 95-98.

4. *Ibid.*

5. *Ibid.*

Gulf. Besides, the heads or Chiefs of the States also looked at the British for help or arbitration when they so needed. The Trucial Chiefs, who had already come under British protection claimed British frequent intervention to safeguard their own interests. Besides, the local chiefs also sometimes consulted the British Resident before taking any action which involved inter-tribal or inter-state rivalries. One such case came up in 1886 when the Sultan of Muskat consulted the British Resident on a proposal to annex the tribes of Khor Fakan, Dibba and Wadi-al-Hilloo.

Hamad-bin-Nasir, Wali of Sohar, reported, in June 1886, to the Sultan of Muskat that the people of Khor Fakan, Dibba and Wadi-al-Hilloo, wished to be taken under the protection of the Muskat Government. Sayyid Turki requested the Political Agent to obtain the advice of the Resident, Colonel Miles, as to the annexation to these ports.¹ Colonel Miles held that any aggressive enterprise of the kind, on the part of Sayyid Turki against his neighbours the Joasmi, with whom he is now at peace would be highly inadvisable, and would probably terminate in 'results very injurious to His Highness's interests'.² The Government of India had approved of the advice tendered by the Resident.³ Sayyid Turki acting on this advice directed his Wali to abstain from any acts of interference with the places concerned.⁴ In 1887 one of the men of the Wali of Khusab, having been murdered in the fights between the Beni Hadiyah and the Kumazira of that place, Sayyids Feysal, Fahad and Nasir-bin-Mahomed, proceeded to Khusab, effected peace between the tribes, and exacted a fine of 500 dollars from each of the two tribes.⁵ In 1888, the

1. Foreign Deptt. Progs., Secret, (External). A., July 1886, Cons. 307-308.
2. Ibid. Cons. 309. Letter No. 111 dated the 6th July 1886 from the Political Resident, Persian Gulf to the Political Agent Muskat.
3. Foreign Deptt. Progs., Secret, (External). A., July 1886, Cons. 310. Letter No. 1896 E., dated 27th July 1886, from Secretary, Foreign Department, Government of India, to Political Resident in the Persian Gulf.
4. Ibid. Cons. 311.
5. Foreign Deptt. Progs. (External) A., November 1887, Cons. 67-71.

Sultan of Maskat despatched a ship to Maskat to stop the fighting going on between the Kumazira and Hadiyah tribes there. Four Sheikhs of the Kumazira and three men of the Beni Hadiyah were brought prisoners to Muskat and interned in the fort Jalali.¹

Another question on which the British were consulted was regarding the title to royalty on the value of a pearl found in the coast of Khumab. It was a curious case which arose in 1899 on the Arab Coast in consequence of the discovery of a pearl of great value in one of the pearl-banks near Kumzar. It was believed that it was sold by the finders for much less than it realised subsequently, and important questions of Muhammadan and local commercial law were raised in consequence. The Sultan of Maskat and several of the Arab Sheikhs were interested in the matter, which seemed likely at one time to give rise to serious complications.² A representative was appointed to assess the sharers of the several parties interested, awarded the Sultan 30,000 dollars, representing a one-third share of the value of the pearl in question, and a document was passed and signed by the Chief of Shargah and others in ratification of the award.³ This sum was not forthcoming, however, owing to loss, meanwhile sustained by the holders, who had evidently been speculating with money borrowed on the security of the pearl. The Resident, after visiting Shargah informed the Sultan that in his opinion, Rs. 12,000 was the most he could realise. Sayyid Faisal deferred to his opinion and expressed his willingness to content himself with that amount, taking into account the fact that in this typical test case, he had effectively proved his title to a definite royalty on the value of such prizes.⁴

-
1. Foreign Deptt. Progs., (External) A., October 1888, Cons. 34-38, Political Agent's letter No. 246 dated 26th August 1888. Also Foreign Deptt. Progs., (External) A., October 1888, Cons. 52-55.
 2. Persian Gulf Administration Report for the year 1899-1900, page 5.
 3. Persian Gulf Administration Report for the year 1899-1900, page 13.
 4. Ibid.

One of the important problem, among the Trucial Chiefs, however, was regarding the debtors who used to abscond after taking advances for pearl fishing at the beginning of the fishing season. It was a problem which the Trucial Chiefs themselves had failed to solve and then they sought British intervention in evolving a code of conduct among the Chiefs in dealing with such absconding debtors. For a number of years one prevailing cause of strife and dispute between the Trucial Chiefs in the Persian Gulf had been the asylum given by one Chieftain to run-away debtors from another Chieftainship. The runaways were almost in very instance being divers, sailors or speculators, who having received advances of money from the traders of one port set out to the pearl fisheries. Instead of returning to give an account of their earnings, they sought refuge in another port in order to defraud their creditors. If the Chieftain affording refuge to the runaway debtors was on friendly terms with the Chieftain of the Port from where the debtors had absconded, an arrangement was generally arrived at between the Chiefs themselves.¹

With a view to prevent any disturbance of this nature, Colonel Lewis Pelly, the British Resident in the Persian Gulf in 1868, issued a circular to all the Trucial Chieftains pointing out the injustice of their affording asylum to absconding debtors.² He warned all Chiefs that borrowers thus levanting would have to be given up by the protecting Chief, and that every endeavour would be made to secure payment and that if these measures failed, the harbouring Chief would be held responsible for their debts.³ In spite of this threat, instances of laventing continued to occur from year to year, and the troubles of settlement to increase owing to the complicated nature of the claims and counter-claims set forth by their several creditors rendering the arrangement difficult and

-
1. Foreign Deptt. Progs., Political, A, November 1879, Cons. 445-446.
 2. Ibid.
 3. Ibid.

labourious.¹ With this view the Resident in the Persian Gulf proposed to the Trucial Chiefs the execution of a mutual agreement whereby their subjects would be deferred from absconding and obtaining asylum in another Chieftain's territory, and that this agreement should be rendered binding by stipulations and fines.

The Trucial Chiefs readily consented to these suggestions, and an agreement was drawn out and sealed by them in the presence of Hajee Abdur Rahman, Government Agent, Arab Coast, and Hajee Abdul Kassim, Residency Moonshee, who was specially deputed to explain to several Chiefs the Resident's views in this matter.² Commander J. Elliot Pringle of the ship 'Vulture' cruised round the Arab Coast in September 1879 with a view to impress upon the Chiefs the importance of acting loyally by the agreement. All the Chiefs recognized the utility of the measure. Only the Chief of Dubai protested against having to go to Shargah, when the delivery of absconding debtors of other tribes was claimed from him. He wished that such claims should be settled at Dubai. Commander Pringle saw no objection to humouring this Chief by holding the mixed Court, when he was concerned at Dubai, which was only 7 miles from Shargah. The British Indian Government wished to be satisfied that if surrender was absolutely enforceable, under the sanction or guarantee of Government, it would not be used as 'an engine of oppression' by the Chief against oppression.³ Colonel Rose pointed out that oppression was rare under the patriarchal system of rule obtaining among the Arab tribes, and that surrender would be demanded as a rule only in the case of really fraudulent debtors. The arrangement

1. Ibid. Besides, the protecting Chiefs turned their attention towards utilizing the advent of runaway debtors into a source of emolument by only allowing those runaways to take employment who would grant a fee for the permission, thus rendering their burden heavier and the means of effecting and arrangement more difficult. The complaints became more rife, and threatened to disturb the peace of the sea, unless measures could be adopted to put an effectual stop to the practice.

2. Ibid.

3. Ibid.

would not moreover apply to a large body of a tribe seceding from a Chief or emigrating.¹ However, extradition of the absconding debtors was not the practice among civilized states, but on the Arab Coast the practice of giving refuge to runaway defaulters was a source of constant feuds, which threatened the martime peace, and the agreement now signed by the Chiefs would, remove that source to a great extent.²

Colonel Ross reported that the arrangement entered into in 1879 among the Trucial Chiefs appeared to have had a pacifying influence and no evil effects from the measure had been observed.³ The Resident visited the Arab Coast in 1882 and reported that the tranquillity of the past years was considerably due to more prompt settlement of this class of disputes.⁴ There was no sign of the working of the arrangement injuriously affecting any honest members of the communities. On the contrary, tended to their good. The various Chiefs had been fairly observant of their agreement at the instance of the 'Native Agent'.⁵ The Chiefs of Shargah, Dubai and Ejman, who had succeeded to their Chieftainships since the conclusion of the agreement of 1879 between the Trucial Chiefs regarding the rendition of absconding debtors, subscribed to it in 1892.⁶

Some of the miscellaneous developments in regard to the relations of the Trucial Chiefs with the British are now being summarily enumerated. These related to the casual activities of the French and German nationals, the visit of Lord Curzon to the Trucial Coast, the impressions of Major Cox of his journey along the "Trucial Coast upto Muscat and some other local problems. The first is the problem relating to the activities of Sheikh Hashar-bin-Maktum of Dubai.

Sheikh Hashar-bin-Maktum of Dubai was well known person of, even for an Arab, singularly quick and impetuous

1. Foreign Deptt. Progs., Political A., January 1890, Cons. 333-335.

2. Ibid.

3. Persian Gulf Administration Report for the year 1880-1881 (Part I).

4. Foreign Deptt. Progs., Political A., June 1882, Cons. 254.

5. Ibid.

6. Foreign Deptt. Progs., External, A., March 1893, Cons. 120-123.

temper, which had led him occasionally to commit irregularities himself and to excuse them in his people. In 1878, against the advice of his own relations as well as the British Agent he had neglected demands for redress in three cases, in which his responsibility was fully established by evidence.¹ The first of these was claim for indemnity due by Shaikh Hashar for illegal and unjust detention at Dubai of a Persian vessel. The second complaint was an attack by Dubai boats on a Persian boat at Delma Island, and abduction of a sailor therefrom, with other violence. Thirdly, Shaikh Hashar had used undue and unjust hardness towards Indian traders residing at Dubai, on false allegations.²

The British, however retaliated by sending the vessels of war at Dubai. Lieutenant-Colonel Miles, at the Resident's request, accompanied Captain Woodehouse, the Senior Naval Officer, in the British ship 'Teazer', and a settlement was obtained. A suitable fine was imposed, and the boat which had been employed in the Delma aggression was burnt off the port. Shaikh Hashar realised his misdeeds and wrote a letter of apology, which was accepted by the British Resident and the usual friendly relations resumed. These proceedings were approved by the British Indian Government.³ In June 1882, a number of boats belonging to Ejman had engaged in a piracy committed in a vessel (the Fath-el-Kareem under Turkish colours) in the Red Sea, and a quantity of property plundered from the vessel was landed at Ejman.⁴ The British took steps to detain the Ajmar boats, until the charge was clearly established, when British ship 'Arab' was sent to the Pirate Coast. Nine of the boats concerned in the piracy were publicly burnt, and the value of a quantity of the cargo of the plundered vessel was recovered.⁵ During the pearl-fishing season, June 1884, an Ejman boat was attacked and fired on by one Self-el-Adham, who resided on the island of Sirri and who had

-
1. Persian Gulf Administration Report for the year 1878-1879.
 2. Persian Gulf Administration Report for the year 1878-1879.
 3. Ibid.
 4. Persian Gulf Administration Report for the year 1882-83.
 5. Persian Gulf Administration Report for the year 1882-83.

previously behaved in a 'turbulent manner.'¹ The offence, which constituted a breach of the maritime truce, having been clearly proved, the British Ship 'Philomel' proceeded with the Residency Agent for the Arab Coast to Sirri, and burned the boat of Self-el-Adham in a public manner.² The British Agent reported in May 1884, that a Mullah, residing at Shargah, named Hossein-bin-Temeen, was engaging himself in favour of the Mahdi of the Soudan, advising the people of Shargah to join the Mahdi at Mecca and causing some excitement amongst them. The Agent was instructed to take no notice of the Mullah's sayings, but to caution the Chief of Shargah that he would be held responsible for any annoyance befalling British subjects ensuing on such attempts at agitation.³

Lord Curzon, who visited the Persian Gulf in November-December 1903, also visited the Trucial States and met the Trucial Chiefs. In his speech to the Chiefs Lord Curzon, after enumerating the engagements entered into between them and the British Government, boldly declared that "Chiefs, out of the relations that were thus created, and which by your own consent constituted the British Government the guardian of inter-tribal peace, there grew up political ties between the Government of India and yourselves, whereby the British Government became your overlords and protectors and you have relations with no other powers."⁴ He stressed that the British Government did not interfere in the internal affairs of the Chiefs, provided they govern their territories with justice and respect the rights of the foreign traders residing therein. If any internal dispute occurred Chiefs would always find a friend in the British Resident, who would use his influence as he has frequently done in the past, to prevent these dissensions coming to a head and to maintain the status quo.⁵

1. Foreign Deptt. Progs., (External) A., September 1884, Cons. 12-16.
Persian Gulf Administration Report for the year 1884-1885.

2. Ibid.

3. Persian Gulf Administration Report for the year 1884-1885.

4. Foreign Deptt. Progs., Secret, (External), February 1904, Cons. 33-127.

5. Ibid. Cons. 119.

Major Cox, in April 1902, undertook a journey from the Pirate Coast to the Maskat Coast by the interior of Omen and sailed up to Abu Thabi. The utmost assistance and hospitality was afforded to him by Shaikh Zaid-bin-Kalifa, *Chief of Abu Thabi*, without whose cordial co-operation the first portion of the journey could not have been performed. On disembarking, the Political Agent, the ship 'Redbreast' returned to Maskat with a despatch requesting the Sultan to be so good as to send his trusted Lieutenant-Sheikh Rashid-bin-Uzaiz, Governor of Somail or some other influential Sheikh, to meet the Political Agent at Ibri in the Dahireh. The Sultan promptly responded and Shaikh Rashid was sent to Ibri. Some portion of the country passed through in the Dahireh district and probably had not been visited before by a European, and of the remainder of the route much had not been traversed for many years.¹ The principal places visited were Abu Thabi, Bereymi Hafit Dthank, Ibri, Nejd-ul-Makharim Cabrin, Behla, Nez Wa, Tanuf, the villages of the Jebel Akhdar range, Samail, Sarur, Biddid, Finjah and so on to Maskat. The Political Agent was offered no serious opposition. When the difficulties and occasional risks of first contact were got over, and his identity and credentials made known, the villagers and Bedouins were uniformly friendlier.² Major Cox, however, was much struck by the powerful hold of the Sheikh of Abu Thabi on the tribes in the 'Hinterland' of the Pirate Coast. Major Cox reported to the Government of India on the overwhelming influence, which the Sheikh of Abu Thabi had been exercising in the 'Hinterland' of the Pirate Coast.³ He reported that the Chief had concluded agreements with the inland Bedouin tribes such as Beni Katb, Ghoffeh, Khavater, etc. When Major Cox had travelled from the Pirate coast to Maskat, in 1902, he had found that Sheikh Zaid's influence was much stronger than that of the Sultan of Maskat throughout the Dhahireh district of Oman and was exercised in the interests of general peace.⁴

1. Persian Gulf Administration Report for the year 1902-1903.

2. Persian Gulf Administration Report for the year 1902-1903.

3. Foreign Deptt. Progs., Secret, (External), September 1904. Cons. 53-54.

4. Ibid.

The British Political Agent at Maskat, in March 1904, telegraphed that the French Consul there had been pressing the Sultan to forward a strongly worded letter from him to the Sheikh of Dubai on the Trucial Coast concerning a boat sailing under French flag, which was alleged to have been wrecked and plundered in Dubai territory. The Infernet was expected at Maskat shortly, and it was believed that he would proceed to Dubai. Colonel Kemball believed that the French Consul was unaware of the engagements of March 1892, and proposed to inform him expressing his willingness to make an enquiry and do his best to settle the matter. The Government of India authorized the Political Agent to do as he proposed; but suggested to the Secretary of State the advisability of the situation being explained to the French Government.¹ The French Government appeared to have been unaware of the treaty with the Sheikh of Abu Thabi had agreed now to have the matter settled by the British Government without their settlement. This was done in accordance with an award of a Kazi, fixing a certain amount of compensation.² Dr. Ebrahim Effendi, in February 1904, visited Mr. Edgerley, Chief Secretary, Bombay Government, and offered to make some important disclosures affecting British prestige on the Pirate Coast, provided a guarantee was given for the protection of himself and his family and property. His information referred to bribery of local people and a conspiracy with them of a foreign Power.³ On enquiry by the Resident and Political Agent at Maskat it was found that the man, originally a Jew, had become a Christian and served under the American Mission at Bahrein, had fallen out with the Missionaries and turned then a Mahomedan. After some adventures at Lingah and Ras-ul-Khima had settled as a doctor at Shargah.

Thus the British position with regard to the Trucial Chiefs was one of tacit predominance. This predominance, as it

-
1. Foreign Deptt. Progs., Secret, (External), September 1904, Cons. 26-46.
 2. Ibid.
 3. Foreign Deptt. Progs., Secret, (External), November 1904, Cons. 152-159.

ferred to the maintenance of maritime peace, to the protection of British traders and to the observance by the Chiefs of their various engagements with the British, was accepted by the Chiefs without resistance. In regard to internal affairs the British policy had been not to interfere, unless internal disturbances led to breach of maritime peace or injury to British residents. But the predominant position on the Arab Coast enabled the British to offer 'advice' in internal disputes. In matters of succession, the British refrained from formally recognizing a new Chief, but de-facto successions were recognized by them. The Trucial Chiefs were for all practical and necessary purposes under British protection and the British felt no necessity for making this protectorate more formal. The Anglo-Persian rivalry on the Arabian Coast of the Persian Gulf concentrated, for sometime, over the activities of Joasmi Sheikhs of Lingah. The question of exercise of jurisdiction over the Coast from Dibba to Khor Kalba and the territory about Ras Mussendom came up when attempts were made by the Chief of Fajeira to throw off the yoke of the Joasmi Chief.

BRITISH CHINESE DIPLOMACY

THE MACAULAY COMMERCIAL (DIPLOMATIC) MISSION TO TIBET

It has been often alleged that the British annexation of Upper Burma, in 1886, had aroused certain complications in British Indian relations with China and had compelled the British Government for the reappraisal of her policies with the Chinese Empire. The Duke of Wellington had once remarked that 'the outcome of successful military expedition in Asia was often no less embarrassing than a defeat', and this has been cited in support of the view that the British were faced with new problems on the North-East Frontier after the annexation of Upper Burma. China at this time was weak enough to face the British and was in a process of disintegration owing to the multifarious imperialist designs of the Western Powers. The decades of protracted exploitation had undermined the resources of the Empire, but as usual she still maintained her traditional dignity and exhibited a sense of superiority in her dealings with the foreign powers. With the British, commercial intercourse always proceeded territorial acquisitions, and in China the British had firmly stretched themselves throughout the long eastern coast. However, the intervention in the southern part of the Empire, including Tibet, had not been possible for frequent commercial intercourse. Tibet had often been discussed in the British Foreign Office, and often possible attempts for exploration had been considered. However, it had not been made possible due to approach the southern most mountainous region of the Empire either from the eastern coast Bengal.

Coleman Macaulay, the Finance Secretary with the Bengal Government, was, in October 1884, deputed to visit Sikkim. Macaulay, in his report, had expressed great optimism for

opening British commercial trade with Tibet. Macaulay was told in Sikkim that a lay faction in Lhasa welcomed intimate relations with British India. Besides, Jongpen had assured him his help in opening the trade with Tashilhumpo and Lhasa. An enthusiastic Macaulay at once became optimistic of opening Tibet for British merchants. Macaulay was so much excited with optimism that he suggested to the Bengal Government to build a hostel for the visiting Tibetans to Calcutta. He also suggested for a route, which could be developed through the Lanchen Valley in Sikkim, and another route through the Chumbi Valley. He believed that through these routes the British goods could be easily transported to Shigatse and Lhasa.² However, the main obstacle to these accomplishments was the Chinese and monastic opposition.³ What excited the British more was their intelligence that since the Chinese had just granted passports to the Russian explorer Prjevalski for travel in Tibet.⁴ He also believed that the monks could easily be purchased by a skilful distribution of gifts to the great monasteries of Sera Drabung and Gaden.⁵ He, therefore, remembered the Chefoo convention and recommended that a political and scientific mission, as specified in the separate article of the Chefoo convention, may be sent to Tibet taking the Chinese into confidence.⁶

Sir Rivers Thompson, Lt. Governor of Bengal recommended the possibility of a strategic mission into Tibet to the Government of India.⁷ However, Lord Dufferin was in favour of such an adventure as he contemplated complicated problems in the event of the failure of the mission.⁸ Lord Dufferin believed in

1. Macaulay, C. Report, pp 63-74.

2. Ibid., p. 83.

3. Ibid., pp. 86-88.

4. Ibid., pp. 90-94.

5. Ibid., pp. 94-97.

6. Ibid., pp. 100-104.

7. Kimberley to Dufferin, 5 Feb. 1885, Dufferin Papers (Microfilm) Reel 516.

8. Randolph Churchill to Dufferin, 28 August, 1885, Dufferin Papers (Microfilm), Reel 516, Memorandum of Sir O.T. Burns on our relations with China.

well thought out and well calculated plans in foreign affairs, and he always felt pained on the hurry with which the plan was being finalised.¹ Lord Dufferin, a topseeded diplomat, did not approve of the enthusiastic pressure, exercised by the British Trading Community for sending a mission to Tibet. He had always frowned on the belief of the British manufacturers that such a mission would open Tibetan market to British Commerce, which would help to alleviate the depression in Trade.²

Macaulay also tried to discuss these views with Lord Randolph Churchill, when, in the summer of 1885, he had gone to England on leave. He stressed in his discussions that a mission to Lhasa may provide an opportunity of a diplomatic pressure over the Buddhist majority at Lhasa, who commanded greater influence over the tribes of Central Asia. He held that the British political influence in Central Asia may get a boost if a British Representative and the Chinese Imperial Commissioner were to meet at the Court of the Dalai Lama on cordial terms, as the representatives of the two Asian Empires.³ Lord Randolph Churchill agreed with Macaulay and was inclined to send him first to Peking for passports and then as Head of a mission to Lhasa.⁴ Lord Dufferin, however, doubted the wisdom of the proposed Mission and pointed out to the Secretary of State its 'uselessness' particularly when the developments in Afghan affairs were in a critical phase. Lord Dufferin was also critical of the vast expences involved in it, if the proposed mission was attacked by the Tibetans.⁵ He strongly suggested the postponement of the mission and to wait till a satisfactory agreement was arrived at with the Russians over the Panjdeh and particularly till the task of

1. Ibid., For. Deptt. Progs, Oct. 1885, Sec. E., Cons. 568.

2. Ibid. Randolph Churchill to Dufferin, 16 Sept. 1885. Dufferin Paper (Microfilm), Reel 517: Randolph Churchill to Dufferin, 17 July 1885, Dufferin Papers (Microfilm), Reel 517.

3. Foreign Deptt. Progs., July 1886, Secret, E, Cons. 745-749.

4. Randolph Churchill to Dufferin, 17 July 1885, Dufferin Papers (Microfilm), Reel 517.

5. Dufferin to Randolph Churchill 30 July 1885, Dufferin Papers (Microfilm), Reel 517.

delimitation of the frontier between Afghanistan and Russia was completed.¹ The Secretary of State took it as an administrative decision and prevailed over the Viceroy. Macaulay was instructed to leave England in August 1885, pick up S.C. Das, a Tibetan language expert, at Colombo and to arrive in Peking in October.² O'Connor, the British charge-de-affairs at Peking, did not appreciate the project on diplomatic grounds³ and even resented the inclusion of an Indian in the proposed Imperial project of vast diplomatic significance, Lord Dufferin continued to write to the Secretary of State, Lord Randolph Churchill, of a diplomatic failure that the British Imperialism might face, as a result of 'a project of a hasty decision.'⁴

The Secretary of State had given definite instructions to Macaulay to proceed with a mission to Lhasa.⁵ He was, however, told that if he did not succeed in this then to proceed to Tashilhumpo and if he failed in this also then he should obtain a declaration from the Chinese Emperor that a totally disapproves of the obstacles which are at present blocking the way of Indo-Tibetan trade.⁶ Besides, Macaulay had also to request the Chinese Emperor that the Indo-Tibetan trade should be made free or at the most it should not be subjected to a duty which is higher than that in force at the Treaty ports in China. He was required to plead for the abolition of

-
1. Ibid. Also Dufferin to Randolph Churchill, 7 August 1885, Dufferin Papers (Microfilm), Reel 517.
 2. Randolph Churchill to Dufferin, 28 August 1885, Dufferin Papers (Microfilm), Reel 517. Foreign Deptt. Progs., October 1885, Secret E., Cons. 1 to 23 and 27 to 40.
 3. Foreign Deptt. Progs., May 1885, Ext. B, Cons. 117 & 118.
 4. Dufferin to Randolph Churchill, 14 August, 10 Sept., 12 Oct. 1885, Dufferin Papers (Microfilm), Reel 517. For Deptt. Progs., July 1885, Secret E., Cons. 209 and 210.
 5. For Dept. Progs., October 1885, Secret E., Cons. 162. Randolph Churchill to Dufferin, 7 August 1885, Dufferin Papers (Microfilm), Reel 517.
 6. For. Deptt. Progs., October 1885 Sec. E., Cons. 162 & 163.

internal taxes on this trade within the territory of Tibet.¹ Both Macaulay and Das reached Peking in October 1885² and were frustrated to find no possibility of a trade settlement as a result of their labours.³ O'Connor was suspicious from the beginning lest Macaulay's appearance in Peking should open the British diplomatic game of Tibet,⁴ and it soon became a reality when some of the Chinese newspapers reported Macaulay's presence having diplomatic significance for Tibet. The Tibetans, who had already apprehended⁵ the consequences and the British "commercially oriented imperialism" had vehemently refused to entertain any of the British proposals.⁶ Li Hungchang, the Tientsin Viceroy, while he was not personally opposed to the Tibetan project, had also doubted if any Chinese official would shoulder the responsibility involved in this.⁷

Yamen offered a very tough resistance to the arguments of O'Connor and Macaulay for a mission to Lhasa. When they repeatedly emphasised on the 'Separate Article', the

1. Foreign Deptt. Progs., July 1886, Secret E., Cons. 745-747. Randolph Churchill to Dufferin, 7 and 28 August 1885, Dufferin Papers (Microfilm), Reel 517.
2. Foreign Deptt. Progs., July 1886, Secret E., Cons. 750 and 751.
3. For. Deptt. Progs., Jul. 1886, Secret E., Cons. 753 Randolph Churchill to Dufferin, 28 August 1885, Dufferin Papers (Microfilm) Reel 517.
4. Foreign Deptt. Progs., July 1886; Secret E., Cons. 653, 655, 763 and 764.
5. Foreign Deptt. Progs., Sept. 1885, Secret E., Cons. 414 to 425. Randolph Churchill to Dufferin, 18 August, 1885, Dufferin Papers (Microfilm), Reel 517.
6. For. Deptt. Progs., Sept. 1886, Secret E., Cons. 653, 663 and 701. For. Deptt. Progs., July 1886, Secret E., Cons. 744. Michie, A., *An Englishman in China During the Victorian Era*, (London 1900) Vol. II, p. 312.
7. For. Deptt. Progs., July 1886, Secret E., 653 to 658 and 711 to 725. Randolph Churchill to Dufferin, 28 Aug. and 16 Sept. 1885, Dufferin Papers (Microfilm), Reel 517.

Yamen visited with an effective counter¹ that he did not feel it could grant any passport until it had time to refer the whole question to the Amban. O' Conor was, however, optimistic on the granting of the passports and thus he suggested to Yamen to consult Amban after the passport were issued.² O' Conor made a diplomatic move by putting forward a suggestion to the Yamen to issue a letter of instructions to the Amban, enclosing the passports, and to advise him that the visiting mission should be given cordial reception. He also wrote to the Indian Viceroy to keep the Mission ready so that as soon as Chinese consent is obtained, the Mission should proceed.³

The Chinese, however, granted passports to the Mission in November 1885 and they also agreed on the text of a letter of introduction from the Yamen to Amban.⁴ However, to neutralise the Tibetan apprehension about the Mission as the British intelligence unit, O' Conor⁵ suggested to the Government of India that the Mission should be organised on a commercial pattern rather than on political basis. He emphasised that the Mission should not be accompanied by a heavy military escort to convince the Tibetans of their apprehensions.⁶ O' Conor also advised that the Mission should be kept a 'top

-
1. The Separate Article had left a loop-hole in the reference to "special circumstances" and in that category the Yamen classed the Tibetan petitions against European entry. Lamb, A, *Britain and China in Central Asia*, p 164. For. Deptt. Progs., May 1887, Secret E., Cons. 82, Government of India Despatch No. 53 (Sec. Ext., dated 2 May 1887, to the Secy of State containing complete account of the circumstances connected with the proposed British Mission to Tibet).
 2. For. Deptt. Progs., March 1886, Secret E., Cons. 4
 3. Ibid.
 4. For. Deptt. Progs., Dec., 1885, Secret E., Cons 1 & 2 and For. Deptt., Progs., Jan 1886, Secret E., Cons. 479 and 482.
 5. For. Deptt. Progs., Jan. 1886, Secret E., Cons. 478 and 492.
 6. For. Deptt. Progs., Sept. 1886, Secret E., Cons. 415 and 422-Telegram dated 27 May 1886 (6.15 PM), Viceroy to the Secretary of State, Lon'on, Reel 520.

secret!¹ O'Connor also cautioned that any delay in Mission's departure will be helpful for the Chinese,² who will only utilise the time, this gained, in putting further obstacles for the Mission to proceed.³ A secret report from S.C. Das had also suggested of Tibetans hostility to the Mission.⁴ S.C. Das was an Indian who had started living with the Tibetans in the Yellow Temple at Peking. Lord Dufferin was of the opinion that the irrespective of the premises of the Yamen to the British, for, they had the apprehensions that if the mission was successful in entering Tibet, the Tibetans may oppose it by force which may lead to a crisis worse than the Margary Affair would develop.⁵ Notwithstanding, the mission assembled in Darjeeling in early 1886, which looked like a contingent of an invading army ready to take up an expedition.⁶

Lord Dufferin, a top-seeded British diplomat did not favour to get involved in another decisive border war so exerted enough to delay the mission, which may ultimately lead to its postponement or winding up.⁷ Thus he suggested that shortly a

-
1. For. Dentt. Progs., May 1887, Secret E., Cons. 82 (Despatch No. 53 Sec. Ext., dated 2 May 1889 from the Govt. of India to the Secretary of State).
 2. Ibid.
 3. Ibid.
 4. While Macaulay had been arguing with the Yamen, Das had gone to live in the Yellow Temple, one of the Chief places of Buddhist worship in Peking, where he dressed and lived as a Buddhist monk. Here he had met a Tibetan envoy sent from Lhasa to keep an eye on the negotiations in Peking, and from this person Das had learnt that all the concessions offered by the Yamen were no more than a sham. Lamb. A., Britain and Chinese Central Asia, p. 165.
 5. For. Dentt. Progs., July 1886, Secret E., Cons. 682 and 732.
 6. Macaulay was the Chief Envoy he was to be accompanied by A. W. Paul as Secretary, Colonel Tanner as Surveyor, Dr. Oldham as Geologist, Dr. Leakey as Medical Officer, Mr. Warry as Chinese interpreter, S. C. Das as Tibetan interpreter and Captain Elwes and Gwatkin in command of an escort of some three hundred sepoy. Lamb. A., Britain and Chinese Central Asia, p. 165.
 7. Dufferin to Randolph Churchill, 5 Jan. 1886; to Kimberley, 14 Feb. 1886, 4 and 25 June 1886, Dufferin Papers (Microfilm), Reel 517.

change in the Ambans was to take place and the mission could wait till then,¹ but O' Conor did not agree with this suggestion since he thought lest the Chinese should get time to put further obstacles.² But Lord Dufferin continued to seek excuses for the postponement of the mission. In March 1886, Lord Dufferin suggested that the departure of the mission may preferably be delayed diplomatically until an agreement was reached at with China over Burma. Lord Dufferin believed that it could have confronted the British with more serious problems since internal disorder, along with external attack, could have badly compromised British position in Burma.³ Again in April, Lord Dufferin proposed that the British should offer the Chinese concessions in Burma in order to conciliate themselves against the British annexation of Upper Burma and, in return, to obtain a guarantee for Indian trade with Tibet.⁴ But much had already been done for the advance of the mission, so Kimberley did not agree with Dufferin's suggestions. He advised him that the British proceedings in regard to Tibet 'hardly suggest to mix the two questions at the expense of the mission'.⁵

The annexation of Upper Burma by the British had alarmed the Chinese⁶ and had also led them to apprehend of further British designs northwards. The proceedings of the Macaulay mission simultaneously with the forcible occupation of Upper Burma had fluttered the Chinese Foreign Office of British intentions on Tibet. Besides,⁷ the size of the mission contingent, as highlighted by the British newspapers, had

-
1. Dufferin to Kimberley, 14 Feb. 1886, Dufferin Papers (Microfilm), Reel 517.
 2. For. Deptt. Progs., July 1886, Sec. E., Cons. 692.
 3. Dufferin to Kimberley, 8 and 29 March 1886, Dufferin Papers (Microfilm), Reel 517.
 4. Dufferin to Kimberley, 6 April 1886, Dufferin Papers (Microfilm), Reel 517.
 5. Kimberley to Dufferin, 6 May 1886, 11 and 18 June, 1886, Dufferin Papers (Microfilm), Reel 517.
 6. *Ibid.*
 7. *Ibid.*

further arose suspicions in Peking.¹ While these proceedings were going on, Amban sent a report to Yamen in Peking that "if the English enter Tibet troubles will definitely ensue".² Yamen informed the British,³ the warning of Amban and requested for a further postponement of the mission.⁴ In the history of British imperialism, the territorial acquisition had always proceeded with a commercial mission, so the Yamen had every doubts about the true intentions of the British, so the Yamen was trying for every possible pretext to persuade the British either to delay or postpone the mission.⁵ Having failed to persuade the British, Yamen played a diplomatic game in which he offered O'Connor an immediate settlement in Burma in return of a permanent abandonment of the Macaulay mission. Lord Dufferin, who had been allergic for such an adventure in diplomacy, immediately agreed and telegraphed to the Secretary of State for India, Lord Kimberley, that "I would not hesitate a moment in sacrificing the Tibet mission for a settlement over Burma."⁶ However, after some more consultations O'Connor, on 24th July 1886, signed an agreement with the Yamen as Article IV of the convention between Britain and China "relative to Burma and Tibet."⁷

-
1. For. Deptt. Progs., July 1886, Secret E., Cons. 730, Dufferin to Kimberley, 25 June and 9 July 1886, Dufferin Papers (Microfilm), Reel 517.
 2. Ibid.
 3. For. Deptt. Progs., Sept. 1886, Secret E., Cons. 460. Kimberley to Dufferin, 1 and 7 July 1886, Dufferin to Kimberley, 9 July 1886, Dufferin Papers (Microfilm).
 4. For. Deptt. Progs., May 1887, Secret E., Cons. 82, Despatch No. 53, dated 2 May 1887 (Secret External) from the Government of India to the Secretary of State.
 5. Telegram dated 10 June (8.40 PM) and 25 June (8 40 PM) 1886; Secretary of State to Viceroy India; Viceroy to Secretary of State, London. Telegram 24 June (6.30 PM) 1886, Dufferin Papers (Microfilm), Reel 520. Dufferin to Kimberley, 4 and 25 June, 9 July, 24 Aug. 1886; Kimberley to Dufferin, 18 June, 9 and 30 July and 4 August 1886, Dufferin Papers (Microfilm), Reel 517.
 6. Telegram dated 24 June (6.30 PM) 1886, Viceroy to the Secretary of State, London, Dufferin Papers (Microfilm), Reel 520.
 7. For. Deptt. Progs., Jan. 1887, Secret E., Cons. 62.

From the beginning, Lord Dufferin had very much doubted the success of the Macaulay mission and wanted to consolidate the gains in Upper Burma.¹ He was not of opinion to precipitate another crisis on the northern or North-Eastern frontier of the British Indian Empire till situation in Upper Burma had completely settled in favour of the British.² The annexation of Upper Burma was followed by numerous serious problems of internal revolt and administrative control, so Lord Dufferin had agreed with the Duke of Wellington the 'outcome of a successful military expedition in Asia was often no less embarrassing than a defeat.'³ So, with these developments, Lord Dufferin immediately suggested to give up the mission for a settlement in Burma, and he wished the correspondence not be reopened during his administration.⁴

As the developments regarding the disbandment of Macaulay mission were in progress, the Tibetans availed of the opportunity of delay on the British part and made concentrations of troops at Chumbi Valley, just beyond the Sikkim border. By July 27, 1886 it had become clear that the Tibetans had as far as advanced thirteen miles into Sikkim territory across the Jelop La, and fortified a hill top at Lingtu on the Darjeeling road.⁵ The Maharaja of Sikkim supported the Tibetan advance due to fear and was of the view that the Tibetans had often possessed authority over this portion of

-
1. Dufferin to Randolph Churchill, 12 Jan; to Kimberley 26 Feb; 3, 8 and 29 March; 6 April; 28 May 4 June and 9 July 1886, Dufferin Papers (Microfilm) Reel 517. Also telegram dated 27 May (5 30 PM) 1886, from Viceroy to the Secy. of State, London, Dufferin Papers (Microfilm), Reel 520.
 2. Dufferin to Randolph Churchill, 26 Jan; to Kimberley 25 May, to Lord Cross 27 August 1886, Dufferin Paper (Microfilm), Reel 517.
 3. Dufferin to Kimberley, 24 August, Cross to Dufferin, 22 Sept. 1886, Dufferin Papers (Microfilm), Reel 517. Lamb, A. Britain and Chinese Central Asia, p. 171.
 4. Dufferin to Cross 27 August 1886, Dufferin Papers (Microfilm), Reel 517.
 5. For Dep't. Progs., Feb. 1887, Secret E, Cons. 190 to 196. Despatch No. 15, dated 1 Feb. 1887 on Tibetan incursions into Sikkim.

Sikkim¹. However, the Tibetan claims over Sikkim were very much embarrassing to the Government of India. The Government of India did not want to enter into discussions with the Chinese over its status in territory, which it had logically considered as its own. At this stage, the enthusiastic Macaulay proposed that he himself should go to the border and make efforts to settle the issue by holding a general conference with representatives from Sikkim, Tibet and Bhutan, but Lord Dufferin rejected the proposal, since the Chinese might see in it the revival of the Macaulay Mission.² Lord Dufferin believed that it might lead to an "embarrassing collusion or rebuff" and might also provoke an Anglo-Chinese dialogue, which he did not aspire at this stage. Dufferin had to face the criticism from those who were in favour of a commercial mission to Lhasa. The Tibetan advance to Lingtu was even cited as a reaction of the failure of the mission. Lord Dufferin was, however, convinced that it was not difficult to throw the Tibetans out of Sikkim.³ The Tibetan advance in Sikkim was significant and was a challenge to British diplomacy in view of Sino-British relations, and Lord Dufferin had decided to throw the Tibetans out of Sikkim.⁴

To their strategic advantage, the Tibetans had closed all the passes from Chumbi to Sikkim and had reinforced their garrisons at Lingtu.⁵ Since at this stage the British did not offer any resistance to the Tibetans, the Tibetans misunderstood the strength of the British. Thus they demanded from the British Government, through Sikkim Darbar, that they would not withdraw from Lingtu unless, the British Government gave them an assurance that they will never send any

-
1. For. Deptt. Progs., Feb. 1888, Secret E., Cons. 169 to 183 (Narrative of events in Lingtu leading up to the despatch of British Expeditionary force).
 2. Ibid.
 3. Ibid.
 4. Dufferin to Cross, 17 Oct. 1887, Enclosure No. 2 from Sir S.C. Bayley, Lt. Governor of Bengal to Sir D.M. Wallace, Private Secretary to the Viceroy, Dufferin Papers (Microfilm) Reel 518.
 5. For. Deptt. Progs., Feb. 1887, Secret E., Cons. 29 and 292.

mission to Tibet.¹ To Lord Dufferin, all this came as a challenge to his recent diplomatic manoeuvres, yet he was confident to throw the Tibetans out of Sikkim without any difficulty.² Lord Dufferin was taking every precaution to make the British position clear to Chinese, lest they should misunderstand the British proceedings following British annexation of Upper Burma.³ He was even inclined to enter into a new treaty with the Maharaja of Sikkim, which would make Maharaja's position more secure with the British.⁴ He even tried to enter into some diplomatic juggleries with the Maharaja to make his position safe and secure. But the Maharaja was probably not prepared to offend the Tibetans or the British either and he was playing a double role, which was exposing him every time of his double-dealing and his weakest position.⁵ But now these developments were causing concern to the British people and questions were asked in British Parliament. Even the British Indian businessman in Sikkim and the North-eastern region had also expressed the concern. Thus Lord Dufferin decided for an immediate action to drive out the Tibetans from the British Indian territories without any delay.⁶ Lord Dufferin requested Sir John Walaaham, the British Minister in Peking to tell the Chinese that they may persuade the Amban to withdraw the forces from Sikkim.⁷ The efforts of Walaaham failed as the Chinese were reluctant to adhere to British

1. For. Deptt. Progs, Feb. 1888, Secret E., Cons. 173 (Narrative of Events op. cit.).

2. Ibid.

3. Ibid.

4. Kiernan, E.V.G., *India, China and Sikkim: 1886-90*, Indian Historical Quarterly, Vol. XXXI, No. I., March, 1955.

5. Dufferin to Cross, 17 Oct. 1887, Enclosure No. 2 from Sir S.C. Baley, Lt Governor of Bengal to Sir D.M. Wallace, Private Secretary to the Viceroy, Dufferin Papers (Microfilm), Reel 518.

6. Dufferin to Cross, 10 October 1887, Dufferin Papers (Microfilm), Reel 518.

7. For. Deptt. Progs, May 1888, Secret F., Cons. 184 Despatch No 28 (Secret Frontier) dated 14 Feb., 1888 from the Government of India to the Secretary of State.

request.¹ The Chinese first denied that there was any aggression on the Indian territories, and then they wanted to wait for a report from Lhasa.² This compelled Lord Dufferin to take immediate steps to expel the Tibetans from the Indian territory.³ Besides, what precipitated Lord Dufferin to take immediate steps was the news that the Tibetans had constructed a fort at Lingtu in order to protect their country and a reluctant views of the Chinese to persuade the Tibetans to withdraw.⁴ However, due to infavourable season, the campaign against the Tibetans was postponed till the following spring.

However, Lord Dufferin wanted to utilise the winter time and he sent an ultimatum to Lingtu to communicate to Lhasa to withdraw their forces by March, 1888, failing which the British forces will expel them forcibly.⁵ Lord Dufferin again repeated the ultimatum in February 1888 urging his disapproval of the continuance of foreign forces in Sikkim.⁶ The authorities at Lingtu even refused to communicate this communication of Lord Dufferin to the authorities at Lhasa.

Now a confrontation between the British and the Tibetans was inevitable. But what Lord Dufferin was trying to avoid was that the Chinese may not misunderstand the British armed expedition over the Himalayas. The Chinese had now come forward openly supporting the Tibetan advance, and through their London legation were seeking excuses for the return of

-
1. For. Deptt. Progs., May 1888, Secret F., Cons. 184 Despatch No. 22 (Secret External) dated 7 Feb. 1888 from the Government of India to the Secretary of State.
 2. For. Deptt. Progs., May 1888, Secret F., Cons. 184 Despatch No. 28 (Secret Frontier) dated 14 Feb., 1888 from the Government of India to the Secretary of State.
 3. Dufferin to Cross, 11 Dec. 1887, Dufferin Papers (Microfilm), Reel 518.
 4. For. Deptt. Progs., May 1888, Secret F., Cons. 184 Despatch No. 28 (Secret Frontier) dated 14 Feb. 1888 from the Government of India to the Secretary of State.
 5. For. Deptt. Progs., July 1888, Secret Ext., Cons. 104, 147 and 148.
 6. Dufferin to Cross, 17 Jan. and 26 Feb. 1888, Dufferin Papers (Microfilm), Reel 518.

the Tibetans from Lingtu and were simultaneously requesting the British Government not to take a recourse to arms.¹ Lord Dufferin, even on defiance of the instructions, from London, was only waiting for a favourable season to throw the Tibetans out of Sikkim. Later on the British Government also agreed with Lord Dufferin's views. Lord Dufferin was, however, convinced that China was weak and was struggling to restore her prestige in Central Asia, so the Chinese were not in a position to support the Tibetans in case of an armed conflict with the British.² Thus in March 1888, Brigadier General Graham with a force of only 2000 men, drove the Tibetans out of Sikkim.³ A surprise attack of the Tibetans in May 1888 was also expelled. Again in September 1888, the Tibetans made a concentration near Gnatong, and the British forces again drove them back. Lord Dufferin had, however, instructed General Graham not to enter the Tibetan territory lest it should cause further embarrassment.

It was the British diplomatic gain that the Chinese did not come to the help of the Tibetans. Since they feared that an escalation of trouble may result its further concessions to the British, not only on the Sikkim-Tibet frontier but in Szechuan, Yunnan and Tibet also, which may subordinate Chinese influence over Tibet and the neighbouring provinces.⁴

Thus Lord Dufferin had continued to emphasise that Macaulay was 'engaged on a wild goose chase,'⁵ and at last

-
1. Cross to Dufferin, 2 March 1888, Dufferin Papers (Microfilm), Reel 518.
 2. Dufferin to Cross, 23 April 1888, Dufferin Papers (Microfilm), Reel 518.
 3. In September the British force had entered the Chumbi Valley and had occupied the village of Chumbi for only one day.
 4. The British-Indian officers had received several reports in Darjeeling that the villagers in Chumbi wished to seek British protection, requesting that they 'no longer wished to remain subject to the tyranny of Tibet'.
 5. Dufferin to Kimberley, 28 May 1886, Dufferin Papers (Microfilm), Reel 517.

he was glad to abandon the project.¹ Lord Dufferin was particularly concerned since in 1886 the relations with the Afghans were very critical, the army was already in alert in Burma, and the prospects of further military commitments across the Himalayas could have been much embarrassing. Dufferin was very glad to give up the mission for a settlement in Burma and hoped to 'hear no more of Tibet during his administration'. The British Government also agreed with Lord Dufferin that the British Government had gained diplomatically by the convention.² Thus by the sacrifice of some "problematic gains"³ in Tibet, Lord Dufferin had, however, been able to get the formal recognition of the Chinese Government of British annexation of Upper Burma.⁴ Later on, Macaulay himself had admitted that the commercial advantages to be derived from the mission could be comparatively insignificant, and had appreciated the political advantages.⁵ Thus the diplomatic settlement of the Burmese frontier with China without military commitments at a time, when the Russian advance in Central Asia seemed to the British imminent, were solid gains⁶ for the British Foreign Office.

-
1. Dufferin to Cross, 27 August 1886, Dufferin Papers (Microfilm), Reel 517.
 2. Cross to Dufferin, 22 Sept. 1886, Dufferin Papers (Microfilm), Reel 517.
 3. Telegram dated 27 May (5.30 PM) 1886, Viceroy to Secy. of State London, Dufferin Papers (Microfilm), Reel 520.
 4. Cross to Dufferin 22 Sept. 1886, Dufferin Papers (Microfilm), Reel 517.
 5. Dufferin to Cross, 17 Oct. 1887, Enclosure No. 2 from Sir S.C. Bayley, Lt. Governor of Bengal to Sir D M. Wallace, Private Secy. to the Viceroy; Dufferin Papers (Microfilm) Reel 518.
 6. Dufferin to Cross, 10 Oct. 1887, Dufferin Papers (Microfilm), Reel 518.

BRITISH BURMESE AFFAIRS

NEUTRALISING THE FRENCH INFLUENCE AND THE ANNEXATION OF UPPER BURMA

In 1885, British diplomacy had suffered certain major setbacks in Asia and Africa. General Gordon had died at Khartoum in the African Sudan on January 26, 1885; and the Russians had attacked and occupied Panjdeh in Afghanistan in March 1885. The diplomacy in South Africa and Afghanistan had already been compromised by the Gladstone Ministry in 1881-82 at the expense of British prestige. As already explained in the previous chapter, the Russians were creating grave problems for the British in Central Asia which had taxed the utmost of British statesmanship to deal with; and in South-East Asia British interests clashed with the French. From 1883 to 1885, the clash of interests actually enlarged to an alarming degree into the Kingdom of Burma, and posed a threat to the vested mutual interests in the Kingdom of Ava. During the 'anti-imperialist' Gladstone Ministry of 1880-1885, nothing could be done, but a temporary displacement of Gladstone, from June to December 1885, by Salisbury's conservative Cabinet, provided the imperialist-minded British faction an opportunity to intervene in Upper Burma.¹

In May 1883, the Court of Ava despatched a Mission to Europe for seeking 'commercial and political allowances and agreements' with foreign powers. This policy came into

1. Ireland, A.M. *The Province of Upper Burma*, p. 38.

Minister observed that it was very difficult to draw any distinct line between commercial and political functions.¹ The present intention of the French Government, he held, was to station only a Consul at Mandalay; but the title given to such agent would after all be a matter of little consequence, as whatever title he bore he would have to deal with the general questions between the two countries. Finally M. Jules Ferry gave a distinct assurance that the French Government had no intention of forming an alliance of any special political character with *Burma*.²

In January 1885, M. Jules Ferry informed Lord Lyons that a treaty between the French Government and the Burmese Embassy had, at length, been signed on 15th January; that it contained no political or military stipulations,³ but was merely a treaty stipulating for rights of the residents, commerce, most favoured nation treatment and so forth.⁴ The intentions of the French were, however, afterwards apparent from a letter, also dated 15th January 1885, which came into the hands of the Chief Commissioner of British Burma.⁵ It was from the French Prime Minister to the Burmese Minister for Foreign Affairs and contained the following passage:⁶

“With respect to transport, through the province of Tonkin to Burma, of arms of various kinds, ammunition and military stores, generally—amicable arrangements will be arrived at with the Burmese Government for the passage of the same when peace and order prevail in Tonkin; and the officers stationed there are satisfied that it is proper and that there is no danger”.

1. For. Deptt. Progs., Aug. 1883, Genl. E., Cons. 18-23

2. *Ibid.*

3. For. Deptt. Progs., Sec. F., May 1885, Cons. 112-113.

4. *Ibid.*

5. For. Deptt. Progs., Sec. Ext., Aug. 1886, Cons. 578 and 589.

6. *Ibid.*

conflict very seriously with the established British interests.¹ So long as the Kingdom of Ava occupied an isolated position, its overt unfriendliness could be treated with extreme forbearance by the Government of India. But when once the external policy of the Burmese began to exhibit designs which might result in the establishment of preponderating foreign influence at the Court of Ava, the British also viewed the situation with anxiety. In the diplomatic conversations, held between Lord Lyons, the British Ambassador, and the French Minister for Foreign Affairs Jules Ferry, efforts were made to impress the French Government on the objections entertained by the British Cabinet to the conclusion of any but a purely commercial agreement with King Thibaw.² It was understood that the British authorities desired that facilities should not be given to the Burmese for the purchase of arms. It was also pointed out that, owing to the geographical position of Upper Burma and of British India's political relations with that country, the affairs of the Kingdom of Ava were of utmost concern to the British Government, whereas to the French they could only be of secondary interest.³

M. Jules Ferry, the French Minister for Foreign Affairs, assured Lord Lyons that the treaties, resulting from the negotiations, would be of an entirely commercial character, and that no facilities would be afforded to the Burmese for the purchase of arms, as the French Government were determined not to facilitate the stockpiling of military stores into Tonkin.⁴ In May 1884, M. Jules Ferry was again informed that the British Government would entertain the most serious objections to any special alliance or political understanding between Upper Burma and any other foreign power. In the course of an interview in July, 1884, during which Lord Lyons handed M. Jules Ferry a paper pro-memoria embodying the position taken up by the British Government, the French Foreign

1. For. Deptt. Progs., July 1883, Secret Ext., Cons. 128-136.

2. For. Deptt. Progs., May 1884, Political E, Cons. 380-86.

3. Ibid.

4. Ibid.

conflict very seriously with the established British interests.¹ So long as the Kingdom of Ava occupied an isolated position, its overt unfriendliness could be treated with extreme forbearance by the Government of India. But when once the external policy of the Burmese began to exhibit designs which might result in the establishment of preponderating foreign influence at the Court of Ava, the British also viewed the situation with anxiety. In the diplomatic conversations, held between Lord Lyons, the British Ambassador, and the French Minister for Foreign Affairs Jules Ferry, efforts were made to impress the French Government on the objections entertained by the British Cabinet to the conclusion of any but a purely commercial agreement with King Thibaw.² It was understood that the British authorities desired that facilities should not be given to the Burmese for the purchase of arms. It was also pointed out that, owing to the geographical position of Upper Burma and of British India's political relations with that country, the affairs of the Kingdom of Ava were of utmost concern to the British Government, whereas to the French they could only be of secondary interest.³

M. Jules Ferry, the French Minister for Foreign Affairs, assured Lord Lyons that the treaties, resulting from the negotiations, would be of an entirely commercial character, and that no facilities would be afforded to the Burmese for the purchase of arms, as the French Government were determined not to facilitate the stockpiling of military stores into Tonkin.⁴ In May 1884, M. Jules Ferry was again informed that the British Government would entertain the most serious objections to any special alliance or political understanding between Upper Burma and any other foreign power. In the course of an interview in July, 1884, during which Lord Lyons handed M. Jules Ferry a paper pro-memoria embodying the position taken up by the British Government, the French Foreign

1. For. Deptt. Progs., July 1883, Secret Ext., Cons. 128-136.

2. For. Deptt. Progs., May 1884, Political E., Cons. 380-86.

3. Ibid.

4. Ibid.

Minister observed that it was very difficult to draw any distinct *line between commercial and political functions*.¹ The present intention of the French Government, he held, was to station only a Consul at Mandalay; but the title given to such agent would after all be a matter of little consequence, as whatever title he bore he would have to deal with the general questions between the two countries. Finally M. Jules Ferry gave a distinct assurance that the French Government had no intention of forming an alliance of any special political character with Burma.²

In January 1885, M. Jules Ferry informed Lord Lyons that a treaty between the French Government and the Burmese Embassy had, at length, been signed on 15th January; that it contained no political or military stipulations,³ but was merely a treaty stipulating for rights of the residents, commerce, most favoured nation treatment and so forth.⁴ The intentions of the French were, however, afterwards apparent from a letter, also dated 15th January 1885, which came into the hands of the Chief Commissioner of British Burma.⁵ It was from the French Prime Minister to the Burmese Minister for Foreign Affairs and contained the following passage:⁶

"With respect to transport, through the province of Tonkin to Burma, of arms of various kinds, ammunition and military stores, generally—amicable arrangements will be arrived at with the Burmese Government for the passage of the same when peace and order prevail in Tonkin; and the officers stationed there are satisfied that it is proper and that there is no danger".

1. For. Deptt. Progs., Aug. 1883, Genl. E., Cons. 18-23

2. Ibid.

3. For. Deptt. Progs., Sec. F., May 1885, Cons. 112-113.

4. Ibid.

5. For. Deptt. Progs., Sec. Ext. Aug. 1886, Cons. 578 and 589.

6. Ibid.

Thus it became evident that King Thibaw's Government were bent on welcoming to the Upper Valley of the Irrawaddy, foreign powers and this could not fail at some future time to disturb the tranquillity of British Burma, as also to engender complications extending beyond the British.

While these matters were engaging the attention of the Indian Government, the town of Bhamo, situated about 200 miles north of Mandalay and the centre of trade with Western China, was captured by Chinese marauders.¹ However, it meant the strangulation of the trade between Rangoon and Bhamo until the country around the latter town was once more in a settled state.

The Government of India had been taking full cognizance of all these matters relating to the social, economic, political administrative, diplomatic, military and foreign policies of the Court of Ava. They were particularly aware of the possible consequences, which the conclusion of the Franco-Burmese Treaty of 15th January 1885 produced in the political situation² and they could not but be apprehensive of the presence of M. Hass, as Consul of France, at Mandalay who was likely to increase their difficulties in dealing with the Court of Ava. Hence they were of the opinion that something should be done to restore British influence at Mandalay.

Thus the situation was confronted with many difficulties, the satisfactory solution of which was far from easy.³ It was not considered desirable to insist upon the reception of a British Agent at Mandalay. However, the Government of India were unable to recommend to the British Cabinet any specific course of action. They could only watch the affairs of Ava with special 'care and anxiety', in the hope that, before long, some satisfactory solution of the difficulty might present itself.

Before the arrival of M. Hass, the Consul of France at

1. For. Deptt. Progs., Sec. Ext. Mar. 1885, Cons. 205-214.

2. For. Deptt. Sec. F., Oct. 1885, Progs. 53-57 and For. Deptt. Sec. External, Aug. 1885, Progs. 193-94.

3. Minute of the Viceroy to the Secretary of State, For. Deptt. Sec. External, Aug. 1885, Progs. 262-63.

Mandalay, a French Engineer, named M. Bonvillein, was reported to be negotiating for a lease of the whole of ruby mines at Magok and Kyatphyin for fifteen years, at an annual rental of three lakhs of rupees.¹ Mr. Haas, who arrived in Mandalay in May 1885, and other French Agents were endeavouring to establish for themselves a predominating influence in Ava, which might be utilized at some future time in joining hands with the French possessions on the Upper reaches of the Red River.² His immediate efforts were towards the establishment of a French bank, the running of a French flotilla on the Irravaddy, the working of the ruby mines and the opening out of a trade route from Mandalay through the Shan States to Upper Tonkin. His main idea was to grant loans to the King, and to obtain industrial concessions, on the ground that, even if Britain should be ultimately driven to annex the country, actual concessions to French subjects would be respected.³ In pursuance of this policy he urged upon the Burmese King Thibaw the necessity of avoiding any collision with the British Government and also advised him to ask for a Resident, as otherwise he ran the great risk of having been forced upon to accept the terms he would not like.⁴ It was the intention of the Burmese Government to pick up a quarrel with the British as soon as they were fully occupied with troubles elsewhere.⁵ M. Haas explained the outcome of such a course to the Court of Ava and advised them to form alliance with other European nations.⁶ He pressed the Royal Government to profit by the present attitudes of the Government of India towards Ava in forming treaties with France, Italy and Germany, and to get each of these countries to proclaim Ava as a neutral territory.⁷ In pursuance of this astute advice, one of the ministers of the Royal Government, who spoke French fluently, was

1. For. Deptt. Progs., Sec. Ext. Nov. 1886, Cons. 66-74.

2. For. Deptt. Progs., July 1885, Sect. Ext. Cons. 191.

3. Ibid.

4. Ibid.

5. For. Deptt. Progs., Sept. 1885, Sec. Ext. Cons. 102-106.

6. Ibid.

7. Ibid.

accordingly despatched to Europe during the second half of July 1885. Both London and Rangoon were alarmed over the reported French advice to Mandalay to improve relations with Britain.

M. Hass endeavoured to work upon the King also through the Buddhist Archbishop, who had frequent personal interviews with King Thibaw, during which he discoursed on the advantages to be derived from a close and intimate alliance with France. M. Hass offered to work with the Burmese Ministers in organising the finances and the general administration of the country. As a result he was successful in obtaining certain concessions. By the middle of July, terms had been arranged for the construction of a French railway in Upper Burma and the establishment of a bank in Ava, and the contracts were sent to Paris for formal completion by the French Government. If finally ratified and carried out these arrangements would have given the French practically full control over the principal sources of revenue in Ava.

However, there was yet time to take steps either at Paris or Mandalay to prevent the conclusion of the proposed arrangements,¹ and the discovery of the letter of 15th January 1885 from M. Jules Ferry to the Prime Minister of Ava, alarmed the Government of India and the British Cabinet to the "unfriendliness of France and the hostility of Ava".² The Government of India recommended that the reception and proper treatment of a British Resident at Mandalay, to whose advice, in all matters of foreign policy, the Court of Ava should submit, ought to be insisted on; and that if those terms were refused, preferably pressure tactics should be adopted. But upto this time the Viceroy and his Council members were not in favour of the policy of annexation and it was desired that for this purpose pressure should preferably be exercised in Paris rather than in Mandalay.³

1. For. Dept. Sec. Ext. Progs., May 1885, Nos. 112-113.

2. *Frontier & Overseas Expeditions*, p. 142.

3. Notes of the Law Member, Sir Courtenay Ilbert, on Burma Policy, 1 Aug. 1885, Dufferin Papers (Microfilm), Reel 528; Randolph Churchill to Dufferin, 7 and 28 Aug. 1885, Dufferin Papers (Microfilm), Reel 517.

One of the Chief industries in Upper Burma was the timber trade, and much capital invested in it by various Lower Burma Companies as well as by individuals. Their position and interests in Upper Burma were guarded by the influence of the British Government at the Court of Ava, and the rights conceded to them were in accordance with the treaties between the two Governments. In the summer of 1885, the actions of the Bombay-Burma Trading Corporation were called into question by the Burmese Government and an arbitrary fine¹ of rupees twenty-three lakhs was imposed upon it for allegedly illegal extraction of teak logs from Burmese territory above Toongoo.² The imposition of this enormous fine was due to the desire of the Burmese Government to force British influence out of the country, and to substitute it by French influence. The fine was one that the Corporation could not pay and in default of immediate payment all their forest leases were to be cancelled and their property seized and confiscated by the Government.³ Under existing circumstances the imposition of a fine which would expel large British influences from Upper Burma, to make room for French influence, had a grave political significance, so much so that the case was immediately taken up by the British Government.⁴

Immediately after the matter had been reported by the Corporation to the Government of India, an intimation was given to the Burmese Court that the British Government insisted on British subjects receiving a fair trial, and requested that the order for the payment of the fine should be suspended until the matter had been fully and impartially investigated. Request was also made to appoint a judicial officer of experience as arbitrator. In answer to this communication, the

-
1. The fine was calculated by the Hlutdaw, on the basis of the corporations own records of extractions, assuming that all of the logs were full sized and dutiable at the established rate set in 1880.
 2. For. Sec. D^yptt. Ext. Sept. 1885, Progs. 27-97. For. Sec. Deptt. Ext. Jan. 1886, Progs. 37-63.
 3. *Ibid.*
 4. *Ibid.*

court of Ava questioned the right of the Government of India to raise the subject, and refused point-blank to agree to any arbitration or to suspend the fine.¹

With the unanimous consent of his colleagues,² therefore, and the full approval of Lord Salisbury's Cabinet, the Viceroy, Lord Dufferin, at once authorised the Chief Commissioner of Burma to despatch an ultimatum to King Thibaw, demanding acceptance of certain definite proposals for the settlement of existing disputes, and warning him that in the event of the proposals not being accepted the Government of India would take the matter into their own hands.³

The terms of this ultimatum, despatched on the 22nd October were :⁴

1. The suitable reception of a Resident with full access to the King;
2. The entire suspension of proceedings against the Bombay Burma Trading Corporation until the arrival of the Resident;
3. The acceptance of a permanent Resident with a suitable guard for his protection, and
4. They would, in future, regulate their external affairs in accordance with the advice of the Government of India, and grant proper facilities for the development of British trade with Western China, through Bhamo.

The ultimatum was despatched by a special steamer, the "Ashley Eden", to Mandalay, so as to reach there before the 30th October. If nothing untoward happened the steamer was to remain there till the 5th November in order to bring back the King's reply. It was to leave Mandalay without fail on the 6th; and if it brought no satisfactory reply to Rangoon by the 10th, the British Government would proceed to take such action as they deemed fit.⁵

1. For. Deptt. Progs., Secret Ext., Aug. 1886, Cons. 430

2. For. Deptt. Progs., Secret Ext., Aug. 1886, Cons. 262.

3. For. Deptt. Progs., Secret Ext. Aug. 1886, Cons. 207-28.

4. For. Deptt. Progs., Secret Ext. Aug. 1886, Cons. 218.

5. Ibid.

The reply to the ultimatum was duly received on the 9th November containing a refusal or evasion of three terms. It declined to discuss with the British the case against the Corporation, but it stated that the Corporation could put forth a petition relating to the fine imposed.¹ It further said that "a British Resident, if stationed at the Burmese Court, would be permitted to come and go as in former times".² As for external affairs, they intended to manage these for themselves intimating boldly that "friendly relations with France, Italy and other states have been, are being and will be maintained".³ With regard to opening up of trade with Western China the reply stated that "Commerce will be assisted in conformity with the customs of the country"⁴. Simultaneously, King Thibaw on 7th November issued a proclamation throughout his dominions, calling upon all his officials and subjects, to expel the British, who threatened war and intended to destroy the religion and national customs of the Burmese. The proclamation further announced the King's intention of taking the field in person, for exterminating the British and annexing their territory.⁵

On 10th November the Viceroy telegraphed to the Secretary of State, proposing to begin hostilities at once.⁶ Next day the reply was received. "Please instruct General Prendergast to advance on Mandalay at once",⁷ and the Third Burmese War broke out.

1. For. Deptt. Progt., Secret Ext., Aug. 1886, Cons., 43C.

2. Ibid.

3. Ibid.

4. Ibid.

5. For. Deptt. Progt., Secret Ext., Aug. 1886, Cons. 437. "To uphold the religion, to uphold the national honour, to uphold the country's interest, will bring about three-fold good-good of our religion good of our master and good of ourselves, and will gain for us the important result of placing us in the path to the celestial regions and to Bibban (Niwna).

6. Dufferin to Randolph Churchill, Telegram dated 10 Nov. 1885 (7 AM), Dufferin Papers (Microfilm) Reel 520.

7. Randolph Churchill to Dufferin, Telegram dated 10 Nov. 1885 (11.50 AM), Dufferin Papers (Microfilm), Reel 520.

The Viceroy had given definite instructions to Major-General Prendergast, the Commander of the British armed forces in Burma, that "if the terms offered in that ultimatum were refused or if the answer was evasive you must then hold yourself in readiness to advance on Mandalay...From the time that you enter the enemy's territory, you will be vested with supreme political as well as military authority. . . You will understand that after you cross the frontier no offer of submission can be accepted, or can affect the movement of the troops...Mandalay must be occupied and Thibaw dethroned...you should announce this definitely, to the Burmese authorities and population...".¹ On the basis of British intelligence reports, the Viceroy did not expect much resistance from the Burmese and preferred an "unopposed occupation of Mandalay, if possible, than any number of victorious engagements in the field."² He had desired that the immediate objects of the expedition were the occupation of Mandalay and the dethronement of King Thibaw and these should be attained "rather by display than the use of force."³

The expeditionary force arrived at Rangoon between the 5th and 11th November and immediately proceeded up the river to Thayetmyo. General Prendergast received his orders to advance on Mandalay on the 14th November, 1885, and hostilities began that day by the armed steamers Irrawaddy and Kathlene crossing the frontier engaging the Burmese near Myaungbinmau.

The Burmese found themselves unable to resist the British, and hence an envoy from the King delivered the letter from the Burmese Prime Minister to General Prendergast. The letter pleaded that "the Burmese Government were under the impression that the former friendly relations would still prevail, and that His Majesty, the King of Burma, has now declared his will to concede all the other demands which were not at first allowed, because we had not sufficient time to bring them

1. For. Deptt. Progs., Secret E., Jan. 1886, Cons. 216-282.

2. Ibid.

3. Ibid.

under consideration".¹ The letter concluded with the submission that "we now desire that hostilities shall cease, and we trust that the English Government will meet us, half way and enter into a treaty by which friendly intercourse may be resumed between the two great countries."²

General Prendergast had instructions from Lord Dufferin that "Mandalay must be occupied and Thibaw dethroned".³ Therefore, in reply to the above letter, the King was informed that "no armistic can at present be granted".⁴ The reply also promised to spare King Thibaw's life and to respect his family if he agrees to surrender himself, his army, and his capital to British arms; and if the European residents at Mandalay are all found uninjured in person and property.⁵ A reply to this was demanded before 4 A.M. on the following morning,⁶ meanwhile the fleet continued to advance and was anchored near the village of Kyauktalon, about seven miles below Ava. As no answer was forthcoming the fleet moved on at day break, and orders were issued for the attack on Ava. About half past ten the Burmese were seen putting out with a flag of truce and brought a telegram from the King conceding unconditionally all the demands made on the previous day.⁷ But General Prendergast insisted that some 8000 troops within the Ava fort should be disarmed but, on refusal, the fleet continued its advance up the river and started shelling the fort.

The British fleet reached Mandalay at 10 A.M. on 28th November and proceeded towards the Fort from all the four roads ... known as A.B.C.D. Colonel E.B.Sladen, the Chief Political Officer with the expeditionary forces, proceeded with guides, ahead of the troops, to the Palace enclosure, and the

1. For. Deptt. Progs., Secret Ext., Jan. 1886, Cons. 216-283

2. Ibid.

3. Dufferin to Queen, 8 November 1885, Dufferin Papers (Microfilm) Reel 516

4. For. Deptt. Progs., Secret Ext., Jan. 1886, Cons. 216-283

5. Ibid.

6. Ibid.

7. Ibid., Cons. 270

Prime Minister met him at the entrance of the enclosure and requested him to accompany him into the King's presence.¹ Colonel Sladen entered the Hlutdaw or the Great Council Chamber and was shortly afterwards received by the King. Immediately King Thibaw surrendered himself and his kingdom, but he was asked to formally surrender to General Prendergast on the following day.² The following morning General Prendergast proceeded to the palace and formally received the surrender, and the King accompanied by his two Queens and the Queen Mother was escorted to the river by Brigadier-General Norman.³ At quarter past six, the King and his family were safely placed on board the steamer 'Thooreah'. The 'Thooreah' left for Rangoon the next morning, escorted by two companies of the Liverpool Regiment, under Col. Le Masurier. The King was transferred from Rangoon to Ratnagiri Fort via Madras.⁴

Thus, within three weeks of the declaration of war Mandalay was occupied by the British forces and the King dethroned⁵ with a loss of only twenty one men on the British side.⁶

On 1st December Col. E. E. Sladen issued a proclamation that the British had now captured the kingdom of Ava and King Thibaw had surrendered. The proclamation read "all people, great or small, will be left unmolested in the enjoyment

1. Diary of Events, the Third Burmese War, op. cit., p. 40.

2. For. Deptt. Progs., Secret Ext., Jan. 1886, Cons. 278.

3. Ibid.

4. For. Deptt. Progs., Secret E., Aug. 1886, Cons. 83-91.

5. Ibid.

6. The estimate of Burmese loss of life did not exceed 250 according to Intelligence Department, Government of India. The exact number of casualties on British side were as below:

British Officers	...	4
Native Officers	...	0
British Soldiers	...	7
Native Soldiers	...	10

Total : 21

Minute of the Viceroy to the Secretary of State, dated Feb. 17, 1886. For. Deptt. Sec. Progs., Aug. 1886, Cons. 262 and 263.

of their privileges, provided they remain quiet".¹ The British proclamation was followed by an announcement issued by the Hlut-Daw, informing the people to surrender their arms at either of the 12 gates of the city, at the four gates of the palace enclosure, or at the several criminal court houses and police stations; and any person who disobeyed the proclamation was liable to be shot dead.² Thus the policy, adopted by the occupying army, was to shoot all persons found in possession of arms. Armed repression was coupled with floggings and burning of villages wherever resistance was encountered.³ But the new policy faced bitter resistance from the Burmese armed gangs. Now the village bands, instead of fighting each other as rival foragers, along with the dacoit-bands, expanded their size for launching attacks on the military posts.⁴ Thus was initiated a spontaneous guerilla warfare of formidable dimensions and by the end of January 1886, when Civil administration in Upper Burma collapsed, guerrillas became everywhere active, impetuous and daring.⁵

Lord Randolph Churchill, the Conservative Secretary of State for India, authorised Lord Dufferin to make an announcement of the annexation of Upper Burma to Her Majesty's dominions.⁶ Lord Dufferin made a proclamation on January 1, 1886 that "the territories formerly governed by King Thibaw will no longer be under his rule, but have become part of Her Majesty's dominions, and will, during Her Majesty's pleasure, be administered by such officers as the Viceroy and Governor General of India may, from time to time, appoint".⁷ The

-
1. The Third Burmese War, Diary of Events, Intelligence Branch, Government of India, p. 43.
 2. The Third Burmese War, Diary of Events, Intelligence Branch, Government of India, 1886, pp. 44-45.
 3. Despatch No. 103-A (Military) dated 16 July, 1886, from the Viceroy to the Secretary of State, regarding events and military operations in Upper Burma.
 4. Ibid.
 5. Ibid.
 6. Great Britain, Parliamentary Debates, 3rd Ser. Vol. 302 (Feb. 22, 1886), pp. 161-162.
 7. For. Deptt. Procs., Sec. External, Jan. 1886, Cons. 740-52.

Secretary of State for India authorised the Viceroy to visit Burma in order to make an on the spot study of the problems.¹

Lord Dufferin arrived at Mandalay on February 12, 1886 and the first important work, he did, was to abolish Hlut-daw completely.² On February 17, he announced that the control of Upper Burma would remain with the British.³ He ordered British officers to suppress dacoity and give effect to the proclamation of annexation.

The annexation of Upper Burma to Her Majesty's dominions produced vehement opposition in Parliament and was severely criticised by leading statesmen. It had preceded the advent of the Liberal Party Government of Mr. Gladstone only by a few weeks and thus was taken as a Conservative Party adventure. The new Parliament was consulted only on the expenses of the Burmese war, and the question was whether these expenses should be charged to the Indian or British revenues. The conservatives generally supported the annexation and argued that there was no compelling reason why an action, taken on India's initiative, should not be charged to Indian funds. On the other hand, the Liberals argued that it was not the Indians, but the British Chambers of Commerce at Rangoon, that favoured the annexation, that Paris had expressly disavowed any intention to dominate Burma, and that the fine on Bombay Burma Trading Corporation could have been settled by compromise. They denounced the annexation as "high-handed violence".

The methods possible for the re-establishment of order and government in Upper Burma, after the conquest, engaged

1. For. Deptt. Progs., Sec. External, Jan. 1886, Cons. 617-622.
2. The Viceroy was authorised to abolish Hlut-daw vide Secretary of State, Secret Despatch No. 34, dated 31st December, 1885. Among the seven or eight of the principal ministers of Thibaw's Government only three were invited to become salaried advisers of the British, the were U Mlwa, U PO Si and Kinwun Mingyi. For. Deptt. Progs., Sec. Ext. Aug. 1886, Cons. 229-260.
3. Speech delivered by Lord Dufferin at Mandalay on 17th Feb. 1886, Speeches of the Marquis of Dufferin and Ava (1888), p. 132.

serious attention of the British Government. About the future system of Government four courses were open, which the Viceroy pleaded in his Minute,¹ which he sent to the Secretary of State after his return from Mandalay. The first was that of a buffer state. But the Viceroy held that "the kingdom of Upper Burma had neither the elasticity nor the ultimate power of resistance, which a 'buffer state' ought to possess, and it would certainly prove an obstacle to force commercial intercourse, and its weakness might tempt the Chinese Government to assert over it in a serious manner ...".² The next alternative was that keeping Upper Burma as a protected state with a native dynasty and native officials under a British Resident, who should exercise control over internal and external affairs. But this was prejudicial to British interests, for, "the character of Burmese Princes with their lofty conceptions of superiority to all created beings would have made it necessary to maintain such a ruler as puppet", and a puppet King of the Burmese type would have proved a very expensive and troublesome fiction.³ The only remaining alternative to annexation was to set up a son of late Nyaung Yan Prince with British officers to administer the state in his name and on his behalf, but this would have imposed all the trouble, anxiety and cost of British occupation.⁴ Thus nothing but annexation was found to be the only alternative and Lord Dufferin pleaded strongly in favour of it.⁵ Consequently from 1st of March 1886 Upper Burma was incorporated in British India by command of Her Majesty, and, with the

1. Minute of the Viceroy dated 17th Feb. 1886, forwarded to the Secretary of State on 16th March, 1886. For. Deptt. Progs., Secret Ext., Aug. 1886, Cons. 262-263.

2. Ibid.

3. Minute of the Viceroy, op cit.

4. Ibid.

5. He wrote "I am convinced that annexation, pure and simple, and direct administration of the province by British officers, offers the best prospect of securing the peace and prosperity of Upper Burma, and to our own imperial and commercial interests". Minute of the Viceroy dated 17th Feb. 1886, op cit.

exception of the Shan States, was constituted a scheduled district under Statute XXXII, Victoria, Cap. 3.

The Secretary of State, vide his secret despatch,¹ had authorised the Viceroy large discretion as to the precise methods to be adopted for reorganising the Government of Upper Burma.² It had expressed a hope that it might be possible to introduce a simple form of Government utilizing, in the management of local affairs, the native agencies available at Mandalay and elsewhere to the utmost extent.³ On the visit of the Viceroy to Burma, a meeting of high officials was called and was attended by the Commander-in-Chief Sir Frederick Roberts, the Chief Commissioner of Burma, the Secretaries to the Government of India in the Home and Foreign Departments, and Mr. Jacob, an officer of the Accounts Department, Government of India, to discuss the proposals made by Sir Charles Bernard. The deliberations of this meeting had resulted in a proposal that Upper Burma should be declared a part of British India. It was decided that for the present Upper Burma should be administered by the Chief Commissioner in direct communication with the officers incharge of districts. As the establishment of martial law, in the newly acquired territories, was repugnant to the feelings of the Government of India, it was decided that the administration of Criminal justice should be as simple as possible, and that the work of the Civil Courts should be done by the native revenue staff. Thus after a thorough study of the conditions then prevailing in Burma, Lord Dufferin sent a detailed Minute⁴ to the Secretary of State which contained exhaustive proposals for the future administration of Upper Burma. The

-
1. Secret Despatch No. 34, dated 31st Dec. 1885. For. Deptt. Progs., Sec. Ext., Aug. 1886, Cons. 261.
 2. Ibid.
 3. Ibid.
 4. The conclusions at which Lord Dufferin had arrived regarding the condition and future administration of the country were embodied in his minute of 17th Feb. 1886 and forwarded to the Secretary of State on March 16, 1886 vide Despatch No. 50 Secret (External) For. Deptt. Progs., Sec. Ext. Aug. 1886, Cons. 262-263.

Upper Burma Laws Act, to which the assent of the Governor General was given on 24th September 1886, came into force on 29th November 1886. The Act declared the province of Burma to consist of two parts to be called Upper Burma and Lower Burma, the former being the territories formerly governed by King Thibaw and the latter the territories formerly known as British Burma.

In a series of precise measures, which were taken for civil administration and defence to ensure order and security at home, judicial arrangements were very important. Although dacoity continued in certain districts, yet sufficient progress had been made to justify the substitution of a more settled law and procedure for the provisional instructions to Civil officers. In 1886 the Upper Burma Criminal and Civil Justice Regulations were framed by the Government of India for the administration of justice in Upper Burma. It regulated the functions of a High Court and other Lower Courts. The powers of the Magistrates of all classes were enhanced and the procedure for trial was generally much simplified. The District Magistrate could take cognisance of any offence as a Court of original jurisdiction, even though the accused person was not committed to him by a Magistrate and could conduct the trial without aid of accessors. The Upper Burma Civil Justice Regulation, beyond the limits of the town of Mandalay, provided five grades of courts viz. the Courts of the Judicial Commissioner, Deputy Commissioner, Sub Divisional Officer, Township Officer and Circle Officer. For the town of Mandalay the Regulation provided the establishment of a Civil Court to be called the Civil Court of Mandalay with two judges. The procedure to be observed in the Civil Court of Mandalay and in the Court of the Judicial Commissioner was prescribed in the Code of Civil Procedure, while that to be followed in all other courts in Upper Burma was the procedure prescribed in the simpler rules of the Regulation.

Bands of dacoits, mostly disbanded soldiers had infested the districts and gang robbery was rife from one end of the country to the other, and it was further stimulated by the disbandment of his army, and the confusion and disturbance which the war and the sudden change of Government

had entailed.¹ Therefore the Police arrangements were undertaken to ensure order and security in Upper Burma particularly to suppress dacoity, the traditional weakness of the Burmese people.² After annexation, the country was held by troops who garrisoned 150 posts.³ The general principles, adopted in allocating the force, were that no military post was held by less than 25 men but the most important and central posts were occupied by fairly strong bodies of military police. The business of the military police was especially the maintenance of law and order and suppression of dacoity.⁴ Intermediate stations, between the military posts, were established, which were to be held by Civil Police, who were locally recruited. Each battalion of military police was given a Commandant. For the Civil Police, a District Superintendent of Police, two Assistant Superintendents and three or four Inspectors were assigned to each district.⁵

By June 1886, Upper Burma and much of Lower Burma convulsed in a passion of insurrection. Local leaders usually struck out for themselves in uncoordinated fashion. Dacoits had already been joined by military levies, freebooters were able to pose as patriots.⁶ Friendly villages were protected,

-
1. For. Deptt. Progs., Secret Ext., July 1886, Cons. 796-797.
 2. Burma, Police Department Report of the Police Admn., for 1889, pp. 2-3.
 3. By the middle of 1887 the strength of the Indian Military Police was raised to 12,000 men of whom a large leave were native soldiers. They were divided into 18 Battalions of various sizes, one for each district. By 1888 the number was raised to 17,000.
 4. For. Deptt. Progs., Sec. Ext., July 1886, Cons. 229-231.
 5. In April 1887 Col. Stedman, C.B., was appointed Inspector General of Police in Upper Burma with local rank of Brigadier General in Sept. 1888.
 6. Weekly Report on districts of Upper Burma—dated 21 August 1886, For. Deptt. Progs., Sect. Ext. B.,

		Aug. 1886, 274.
27 August	1886	Sept. 1886, 27.
26 Sept.	-do-	Sept. 1886, 233.
24 Oct.	-do-	Nov. 1886, 10.
20 Mar.	-do-	Apr 1886, 28.

and those, who dared to aid the British, were subjected to systematic intimidation and violence.¹ These disturbances necessitated the despatch to Burma of considerable reinforcements as a result of which, by March 1887, the situation had gradually improved and was under control.

The greatest difficulty, experienced in creating a stable system of administration in Burma, was the extent to which the system of village communities had suffered disintegration. It was, therefore, resolved to restore the system to its pristine vigour. This was the main object aimed at in the Upper Burma village Regulation (XIV of 1887) although it was hoped that the police administration might be strengthened.

Thus, from the foregoing discussion, it is clear that the troubled state of affairs in Upper Burma as well as a caution against the increasing French activities called upon Lord Dufferin to take decisive steps. Lord Dufferin believed that France and China will not intervene and King Thibaw was incapable of resistance. Although for the troubles in Upper Burma, the Conservatives at Home were inclined to demand explanations from the French and not from the Burmese King, yet they had left the decision on Dufferin. Dufferin immediately decided for intervention and, after a successful military expedition, pleaded for annexation, and Upper Burma, a kingdom larger in size than England, was annexed. To Lord Dufferin, it was a masterstroke of his calculated approach, the most important achievement of his Indian Viceroyalty; and which satisfied both the Conservatives at Home the Liberals, who had aspired for it.

1. Burma, Police Department Report of the Police Administration for 1889, pp 2-3.

BRITISH INDIAN AFFAIRS

SOME MEASURES TO CONSOLIDATE THE IMPERIAL GAINS

In Indian affairs, an important issue, which Lord Dufferin had to deal with immediately after he took over the reigns of Indian administration from Lord Ripon, was the pending Bengal Tenancy Bill. He was, however, unusually familiar with almost all the issues raised by the Bengal Tenancy Bill. He had been Under Secretary of State at the time when Lord Lawrence, had set on foot a famous discussion, in which all the highest authorities in India however, and at the India Office had taken different sides. Lord Dufferin had, taken constant interest in the agrarian discussions and had often presided over the debates of the India Council Chamber 'with weight and undeniable authority'.¹ Thus he had a better training at the India Office to deal with the Bengal Tenancy Bill within a few months after his arrival in India.²

The necessity for legislation had indeed been apparent ever since the occurrence in 1873 of the serious agrarian disturbances in Pabna.³ The Bihar famine of the following year had diverted the attention of the Government to some more pressing duties, but the report of the Famine Commission had hardly dealt strongly with the necessity of placing the relations

-
1. Lyall, *The Life of the Marquis of Dufferin and Ava*, 1905, p. 364.
 2. *Ibid.*
 3. Government of India, Legislative Deptt. Progs., No. 11, Letter No. 6, dated 21st March 1882, from the Government of India to the Secretary of State for India—Papers relating to the Bengal Tenancy Act (1835).

of land lord and tenant in Bengal upon a conciliatory basis.¹ The agrarian disputes Act of 1876 had been passed as temporary measure to meet emergencies like those of 1873, pending a detailed consideration of the whole question.² A Bill dealing with the principles upon which rents should be fixed was prepared in 1876, but was not further proceeded with and in 1878 the Government of Bengal had proposed a measure intended to provide only for a more speedy realization of arrears of rent.³ This Bill was introduced into the Bengal

1. Government of India, Legislative Deptt. Progs., No. 257, (Bengal Tenancy Act (1885), Office Memo. from the Revenue and Agriculture Deptt. No. 499 R, dated 25th July, 1884; Proceeding No. 278, letter from the Govt. of Bengal, No. 1906 TR dated 15th Sept. 1884; Speech of Maharaja of Durbhanga in the Council of the Governor General of India on 12th March 1883 (Bengal Tenancy Act (1885) Progs., page 262).
2. Government of India, Legislative Deptt. Progs., No. 33, (Bengal Tenancy Act 1885). Speech of Mr. C.P. Ilbert, Law Member of the Viceroy's Council, on 2 March, 1883, in the Legislative Council of the Governor General of India. The Act though providing rules for the determination of the rent rates, was merely a measure of procedure intended to meet emergencies like those of 1873 and did not introduce any general change in the law of enhancement. It was only to be brought into operation if it appeared that a serious dispute existed in any tract of country in respect of the adjustment of rents or to arrears of rent; and it was to be raised in the statute book for more than three years. As a matter of fact it had expired without being enforced on any occasion. Govt. of India, Legislative Deptt. Proceedings No. 11, Letter No. 6R dated 21 March 1882 from the Govt. of India to the Secretary of State for India. Papers relating to the Bengal Tenancy Act (1885), p. 9.
3. Ibid, Govt. of India, Legislative Deptt. Progs., No. 102 (Bengal Tenancy Act 1885), Letter from the Government of Bengal, No. 973 TR dated 27 Sept., 1883.

It so happened that in January 1877 Sir Richard Temple, shortly before he made over charge of the Lt Governorship of Bengal to his successor, proposed that the amendment of the substantive rent law should be deferred, and that only so much of the Bill of 1876 as provided for the better realization of undisputed arrears of rent should be immediately proceeded with. Sir Ashley Eden

(Contd on page 144)

Council, but it was found impracticable to confine it to the limited object indicated by its original title.¹ The Select Committee on the Bill had recommended that the whole question of revision of the rent law should be taken in hand, and in April 1879 the Government of India had sanctioned the appointment of a Commission to prepare a digest of the existing law and to draw up a consolidated enactment. Proposals which had been separately made for amending the rent law in Bihar were also referred to the Commission for consideration.²

The Rent Commission had submitted to the Government of India the report and the draft Bill, in July 1880, which the Government of India forwarded to the Secretary of State with the views of the Governor General in Council. The Rent Commission had recommended the existing rule by which occupancy right was acquired by twelve years continuous possession.³ The Government of Sir Ashley Eden had recommended that the occupancy right should be enjoyed by all resident raiyats. But Government of India had proposed to take the classification of lands instead of the status of the tenant as the basis on which the recognition of the occupancy right should be effect-

(Contd from page 143)

had adopted this suggestion and in requesting sanction to introduce a Bill for the above purpose into the Bengal Legislative Council, had observed that under the present procedure the recovery of rent by legal process, even when the arrear is not disputed, is so tedious and costly as practically in many cases to involve a denial of justice. *Ibid.* Papers relating to the Bengal Tenancy Act (1885). p. 10.

1. Government of India, Legislative Deptt. Progs. No. 33, (Bengal Tenancy Act 885), Speech of Mr. C.P. Ilbert on 2 March 1883 in the Legislative Council of the Governor General of India.
2. *Ibid.*
3. Government of India, Legislative Deptt. Progs., No. 11, Enclosures of the Rent Law Commission. (Bengal Tenancy Act 1885, p. 39).

ed and to attach the right to all raiyati lands.¹ The difference in approach that prevailed between the Government of India and the Home Government ended when the former prepared a revised draft of the Bill on the lines suggested by the latter.² The Bill faced strong criticism from official and non-official members and, in September 1884, it was referred to the Government of India with the view of the Government of Bengal.³ Sir Rivers Thompson, the Lt. Governor of Bengal, strongly advocated his views in the despatch and had proposed to allow the free transfer of occupancy holdings of Bengal giving the landlord, however, a veto in the case of a transfer to a person who was actively engaged in agriculture. He favoured to leave such transfers in Bihar to be regulated by custom, to omit the clauses of the Bill, which gave the landlord a right of pre-emption, to abandon the provisions for enhancement on the grounds of the prevailing rate, or of the increased productive powers of the land, to provide that tables of rates should be prepared only on the application of the parties; and to provide for a cadastral survey and the preparation of a record of rights.⁴ The Select Committee resumed its sittings in November 1884 and submitted its final

-
1. We should take every precaution in our power to prevent the extinction of the occupancy right by disturbance of possession; and we apprehend that in course of time individual ryots might become unable to prove their rights under the operation of the Lt. Governor's proposal. Govt. of India, Legislative Deptt. Progs., No. 11, Letter No. 6R dated 21 May 1882 from the Govt. of India to the Secretary of State for India; Bengal Tenancy Act (1885) Papers, p. 22.
 2. Government of India, Legislative Deptt Progs., No. 32, Letter No. 1 (Revenue) dated India Office London, 15 Dec. 1882 from the Secretary of State for India to the Viceroy of India. Bengal Tenancy Act (1885) Papers, p. 118.
 3. Government of India, Legislative Deptt. Progs., No. 278, No. 1906 TR dated 15 Sept., 1884 from the Government of Bengal to the Government of India. Bengal Tenancy Act (1885), Papers, p. 300.
 4. Ibid. Dufferin to Kimberley, 23 Dec. 1884, Dufferin Papers (Microfilm), Reel 516,

in January 1885, which was accompanied by minutes of dissent by several members.¹

In February 1885, Sir Stuart Bayley, the Finance Member, brought forward the Bill in the Council.² In the Council it was argued that the Bill should be republished before being proceeded with but this was rejected by a large majority in the exhaustive debate which had discussed the principles of the Bill.³ The Council then proceeded to discuss the clauses of the Bill. More than 200 amendments covering different aspects of the Bill, were placed upon the notice paper but many of these were formally withdrawn or tacitly dropped.⁴ During the discussion, while resisting those amendments which subverted or weakened the principles which the Bill was intended to establish, the Government of Bengal endeavoured to strengthen the position of the occupancy raiyat by extending the right to the pargana instead of confining it to the village, to modify the rule of enhancement on the ground of the prevailing rate and to give to the non-occupancy raiyat the security of a five years' initial base.⁵ These amendments were not

-
1. Government of India, Legislative Deptt. Progs., No. 463 to 468. Bengal Tenancy Act (1885) Papers, p. 330 to 341. Dufferin to Kimberley, 23 Dec., 1884, 6 Jan. 1885, Dufferin Papers (Microfilm), Reel 516.
 2. Government of India, Legislative Deptt. Progs., No. 469, Appendices A 73 to A 78, Bengal Tenancy Act (1885) Papers, p. 343.
 3. Abstract of proceedings of the Imperial Legislative Council dated 13 Feb. 1885, at which a further Report of the Select Committee was presented (Appendix A 80) Bengal Tenancy Act (1885) Papers, P. 354. Dufferin to Kimberley, 3 and 13 Feb. 1885, Dufferin Papers, (Microfilm), Reel 516
 4. Government of India, Legislative Deptt. Progs., No. 471 to 533, Bengal Tenancy Act (1885). Kimberley to Dufferin, 20 Feb. and Dufferin to Kimberley to 533, Bengal Tenancy Act (1885). Kimberley to Dufferin, 20 Feb. 17 March 1885, Dufferin Papers (Microfilm), Reel 516. Dufferin to Kimberley, 17 March 1885, Dufferin Papers (Microfilm) Reel 516.
 5. Abstract of the proceedings of the Imperial Legislative Council dated the 4 March 1885 (Appendix A 90), Govt. of India, Legislative Deptt. Progs., No. 515. Bengal Tenancy Act (1885) Papers. Dufferin to Kimberley 2 March 1885, Dufferin Papers (Microfilm), Reel 516.

accepted by the Council but the Government of Bengal was successful to secure a limitation upon the enhancement of an occupancy raiyat's rent by private contract.¹ Thus the Bill was passed by the Council on 11th March, received the assent of the Governor-General on 14th March and became law as Act VIII of 1885.²

The Act was definitely an improved measure in comparison to the Bill introduced in the Council two years before. The question had engaged the attention of the Government and the public for more than ten years and the Select Committee which had included members holding the most diverse views held no less than sixty four meetings, and had before it several hundreds of reports, opinions and memorials. The result was that the Bill, as finally passed by the Council, was in some respects a compromise, and if it was less thorough and complete, was certainly a more practical and workable law than the draft which was originally laid before the Council. Some of the important features of the Act, which had earlier been subject to sharp criticism and by which the Act differed from the original Bill, were that the settled raiyat acquired by the original Bill an occupancy right in whole of his land held by him the village or estate, but the Act limited this to land in the same village; the occupancy raiyat was empowered to transfer his holding subject to a right of pre-emption by the landlord at a price to be fixed by the civil court, but in the act the pre-emption clauses were struck out and the power of transfer was left to be regulated by local custom; the rent of an occupancy raiyat could not be enhanced, under the Bill, to an

-
1. Abstract of Proceedings of the Imperial Legislative Council dated 5 March 1885, (Appendix A91) Government of India, Legislative Deptt. Progs., No. 522, Bengal Tenancy Act (1885) Papers. Also Abstract of the proceedings of the Imperial Legislative Council dated 9 March 1885, Ibid, No. 537.
 2. Government of India, Legislative Deptt. Progs., No. 554, (Appendix A 96). Bengal Tenancy Act (1885) Papers. The Act came into force on 1st Nov. 1885, except the chapters relating to distract and deposit of rent, the operation of which was postponed to 1st Feb. 1886, to enable the High Court to frame necessary rules.

amount exceeding one fifth of the gross produce, but no such limitation found a place in the Act.¹

A close examination of the events leading to the passing of the Act and the provisions of the Act makes it obvious that the Act had three main objects in view. Firstly, it had given the settled raiyat the same security in his holdings as he enjoyed under the old customary law. Secondly, it had ensured the landlord a fair share of the increased value of the produce of the soil, and thirdly, it had laid down rules by which all disputed questions between landlord and tenant could be reduced to simple issues and decided upon equitable principles. The first object was evident from the clause which threw upon the landlord the onus of disproving the raiyat's claim to a right of occupancy. The second might be explained by the section relating to price lists which relieved the zemindar of the trouble of showing that the value of the produce had increased; and the third objective pervaded the whole of the Act and was especially conspicuous in the valuable section, which had authorised an application to determine the incidents of a tenancy. The maintenance of the principles of the Act was further safe-guarded by a section which had restricted the power of entering into contracts in contravention of its fundamental provisions.² The 'real benefits' of such a measure, as the Bengal Tenancy Act, 'were to be looked for not in the number of cases, in which application could be made to the courts to enforce its provisions, but in the peaceful acceptance by all classes of the principles enshrined in it, that the landlord was to be secured in the enjoyment of his fair rent and that the tenant was to be maintained in the possession of his rightful holding.'³

A second measure of the same kind was passed later in Lord Dufferin's Viceroyalty. This was the Bill to consolidate

-
1. Dufferin to Kimberley, 17 March 1885, Dufferin Papers (Microfilm), Reel 516.
 2. Lyall, Sir Alfred, *Life of the Marquis of Dufferin and Ava*, pp. 79-80.
 3. Government of India, Legislative Deptt. Progs., No. 554 (Appendix A-96), Bengal Tenancy Act (1885) Papers.

and amend the law relating to rent in Oudh. In 1882 the Government of India directed an enquiry to be made into the conditions of the tenants in Oudh and on the basis of the report, that was submitted, a scheme proposed by Sir Alfred Lyall the Lt. Governor of Oudh, for protecting tenants from the 'capricious eviction' was proposed to the Secretary of State vide Lord Ripon's despatch of June 1884, which ruled that "the interests of agriculture call for the amendment of the Rent Law which in the unanimous opinion of the district officers should give to cultivators greater security of tenure including protection from arbitrary eviction."¹ But the Secretary of State in his despatch of 13th November 1884 did not approve of proposals made by Lord Ripon.² Lord Ripon in a minute³ again stressed over the proposals of Sir Alfred Lyall and impressed upon the Government of India that Sir Alfred Lyall's proposals should be accepted, and even desired a 'telegraphic approval'.⁴ The Secretary of State, however,

1. Government of India, Legislative Deptt. Progs., K.W., Note on Oudh Tenancy Case by E.C.B. dated 26th June 1885, Oudh Rent Act Papers.
2. "The proposals submitted appear to me to go just far enough to disturb the minds of the population at large, and not far enough to establish land tenure on a new and firm basis"... "I am therefore constrained upon all these considerations to refuse my assent to the proposals of your Excellency's Government on the ground that they will produce grave discontentment among the land owners, that they will give occasions for plausible imputations on the good faith of Her Majesty's Government, that the benefits of the peasantry anticipated from them are problematical, and that their economic advantages are doubtful". Despatch No. 103 (Revenue) dated 13th November, 1884 from the Secretary of State to the Govt. of India. Govt. of India, Legislative Deptt. Progs., No. 212, Oudh Tenancy Act (1886) Papers.
3. Government of India, Legislative Deptt. Progs., No. 216, Minute by the Viceroy and Governor General of India, dated 12th December 1884, Oudh Rent Act (1886) Papers
4. Government of India, Legislative Deptt. Progs., No. 218, (Oudh Rent Act 1886 Papers), Letter No., 14 dated 22 Sept. 1885 from the Govt. of India to the Secy of State for India.

approved the proposals¹ and desired the Viceroy to take immediate steps to give effect to the proposals of Sir Alfred Lyall, the Lieutenant Governor.²

The approval of the Secretary of State having been received, the Government of the North-Western Provinces and Oudh prepared a draft Bill and submitted it to the Government of India for approval.³ The object of the Bill was to secure for the tenants in Oudh some protection against arbitrary eviction from their holdings and enhancement of their rents, and to place on a clear footing their right to make improvement in their holdings and to receive compensation for such improvements.⁴

The Bill was introduced into the Council of the Governor General on 29th January 1886. The Hon. Mr. Quinton, while justifying the necessity for such a legislation, remarked that "the lion, though not yet upon us, is creeping nearer, and it behoves us to awake and drive it off before it is too late".⁵ The Bill reached this stage after the labour of three years of investigation, correspondence and discussion with those concerned, including the taluqdars, who had often emphasised that, under the circumstances, some amendment of the existing law in the direction of the draft Bill was expedient, necessary and inevitable.⁶

1. Government of India, Legislative Deptt. Progs., No. 219, (Oudh Rent Act 1886 Papers) Telegram dated 1st Dec. 1885, from the Secy. of Stat. for India, to the Viceroy, Calcutta.
2. Government of India Legislative Deptt. Progs., No. 220, (Oudh Rent Act 1886 Papers), Letter No. 107 (Revenue) dated 3rd December 1885 from the Secy. of State to the Govt. of India.
3. Government of India, Legislative Deptt. Progs., No. 221, (Oudh Rent Act 1886 Papers), Letter No. 177, dated 15 Jan., 1886 from the Govt. of the N.W.P. to the Govt. of India, Appendix A 29.
4. Ibid. Under the Oudh Rent Act 1886 it stood absolutely unprotected against enhancement and eviction. Every field in a tenant's holding could be shifted on the close of each year at the will of his landlord and there was no limit to the rise of rents.
5. Government of India, Legislative Deptt. Progs., No. 225, (Oudh Rent Act 1886 Papers), Abstract of the Progs. of the Council of the Governor-General of India, dated 29 January, 1886.
6. Ibid. Also Proceedings No. 241-253. Oudh Rent Act (1886) Papers.

The Bill was then referred to the Select Committee and after the Select Committee had submitted its report¹ the Bill entered its second stage.² It was subject to a comprehensive discussion in the Legislative Council and Quinton, Ilbert and Colvin supported the measure.³ Lord Dufferin himself appreciated the goodwill of the advocates of the measure and remarked "I have never taken part in any controversy affecting such various and momentous interests in which so laudable a spirit of conciliation had been exhibited".⁴ The Bill was passed and it became the Act XXII of 1886.⁵

The Act, intended to consolidate and amend the law relating to rent in Oudh, maintained the provisions of the former act 18 of 1868 in so far as they related to the tenants having a right of occupancy in Oudh, but it materially altered the provisions of that Act in so far as they affected more than a million tenants-at-will. It also made the tenants-at-will responsible to make improvements on their holdings, and entitled them to receive compensation for any subsisting improvements which they had made within thirty years preceding their ejection, although the poor means of tenants in general could hardly enable them to use agricultural appliances and machinery or to make large embankments or drains which required a considerable outlay of money at the outset. Besides, it declared every such tenant to be entitled to retain his holding for a period of seven years from the date of his rent being settled in accordance with the provisions of the Act. The zemindars of Oudh complained that the Government had nowhere lost sight of its own interests nor

1. Proceedings No. 262 (Vide Appendix A-35).
2. Proceedings No. 263 (Vide Appendix A-36).
3. Government of India, Legislative Deptt. Progs., Nos. 267-272 (Oudh Rent Act 1886) Papers. Abstract of the proceedings of the Legislative Council of the Governor General dated 30 September 1886.
4. Ibid.
5. Government of India, Legislative Deptt. Progs., No. 269, (Oudh Rent Act (1886) Papers).

those of the tenants¹ while it had ridden rough-shod over Zemindars² and resented the attitude of the Government for having "tempted a few taluqdars to support the Bill³ which did not at all include the overall interests of the land owners of Oudh".⁴ But in the larger interests of the population, the Act of 1856 afforded such protection to the tenants as to give them a reasonable prospect of enjoying the fruits of their labour, stimulate their industry and promote the prosperity of the majority dependent on the cultivation of the soil and strengthened the hands of the weaker party in all dealings respecting the occupation of the land in Oudh.

Another important measure, relating to land reforms, was the Punjab Tenancy Act passed in the year 1887.

The revision of the Land Revenue Law, which had been undertaken earlier to give effect to the revenue policy urged by the Famine Commission and approved by the Government of India, had entailed the necessity of reconsidering the Land tenancy law, particularly those portions which related to adjustment and the recovery of rent. The question which arose between the landlord and the tenant was mainly one of title. Different parts of the province had come under settlement between 1852 and 1862 and nearly the whole of the land under cultivation was then entered as held either in proprietary right or on occupancy tenure. In the neighbouring states of Patiala and Bikaner, from where most of the new tenants came, there was no limit to rent either, or any practice of eviction. Under the Punjab Tenancy Act, the tenants expected to be protected in their occupancy of the land, which they had earlier broken up from waste, but had no legal right

-
1. Government of India, Legislative Deptt. Progs., No. 259, Oudh Rent Act (1886) Papers, Objections to the Oudh Rent Act made by the Zemindars of Oudh (without date).
 2. Ibid.
 3. Government of India, Legislative Deptt. Progs., No. 266, Oudh Rent Act (1886) Papers, Petition dated 16th Sept. 1886, from the zemindars of all the districts of Oudh to His Excellency the Viceroy and Governor General of India in Council.
 4. Ibid.

to this protection. The landlords, however, feared that the occupancy right might be conferred upon them, similar to those, rights which were practically conferred upon their tenants between 1852 and 1862. The result of this conflict of interest was, that in the six years ending in October 1880, notices of ejectment were served on the tenants of some 64500 acres, or one sixth of the land held by tenants without a right of occupancy.

These circumstances were reported to the Government of India, but the Government of India were not disposed to accept the opinion that the evils brought to light afforded a sufficient case for legislation.¹ However, after a considerable correspondence between the Punjab Government and the Government of India it was decided that legislation should proceed. The Financial Commissioner was accordingly asked to submit a revised Draft Bill. A number of opinions were collected and considered by a Committee of Officers appointed by the Lt. Governor. The Committee unanimously ruled that, in the changed circumstances it was so badly arranged and inaccurately drafted and held that advantage should be taken of the opportunity to place it on the subject before the people and the courts and officers who would have to administer it.² The Committee therefore revised, rearranged and re-submitted the Financial Commissioner's draft of April 1883 which repealed the Act of 1868.³

-
1. Punjab Government Letter No. 1126 dated 24th Oct. 1881, Progs., No. 128 (Punjab Tenancy Act (1887) Papers).
 2. Government of India, Legislative Deptt. Progs., No. 728, (Punjab Tenancy Act (1887) Papers).
 3. Briefly the main features of the Bill were—
 - (a) Original settlers were placed in as good a position with reference to occupancy right as their successors (Section 4);
 - (b) The existing scale fixed for the enhancement and reduction of the rents of occupancy tenants had been adjusted with reference to the land revenue demand (Sections 15 and 16).
 - (c) Power had been restored to settlement officers to fix the rents of occupancy tenants at the time of the assessment of land revenue (Section 10); and

(Contd on page 154)

The intention of the Government was to depart from the leading principles of Act XXVIII of 1868 'a measure which, whatever its defects of form, may be described as a judicious compromise between conflicting interests of great magnitude.' The principal modifications were those which had been necessitated by the practical difficulties. The Government of India forwarded to the Secretary of State a statement on the draft Bill and the correspondence with the Punjab Government on the subject.¹ The Bill was referred to the Select Committee² and, after the report of the Select Committee was received, the Bill entered its record stage. The Bill was again referred to the Select Committee and the Committee, after reconsideration, rearranged the provisions of the Bill relating to the operation of records of rights and agreements into a separate chapter at the end of the Bill.³ In rearranging those provisions the Committee had, in some respects, followed more closely the language of the Punjab Tenancy Act 1868, and recommended that the Bill be passed as amended.

The Council of the Governor General met at Viceregal Lodge, Simla, and Colonel Wace put up before the Council the reports of the Select Committee for consideration.⁴ But after exhaustive discussion the Bill was passed into an Act

(Contd. from page 153)

(d) The provision for the payment of compensation on ejectment had been made more liberal (Chapter VI) Govt. of India, Legislative Deptt. Progs., No. 131, Appendix A-26, (Punjab Tenancy Act (1887) Papers).

1. Government of India, Legislative Deptt. Progs., No. 135, (Punjab Tenancy Act (1887) Papers), Letter No. 35 (R) dated 9th July 1886 from the Govt. of India to the Secy. of State for India.
2. Government of India, Legislative Deptt. Progs., No. 151, Appendix A-36 (Punjab Tenancy Act (1887) papers).
3. Government of India, Legislative Deptt. progs., No. 158, Appendix A-40, (Punjab Tenancy Act (1889) papers).
4. Government of India, Legislative Deptt. progs., No. 161, Appendix A-42, (Punjab Tenancy Act (1887) papers).

on 22nd September 1887.¹ A close examination of the papers relating to the Punjab Tenancy Act 1887 makes it evident that, unlike the Bengal Tenancy Act of 1885 and the Oudh Rent Act of 1886, this Bill did not rouse much opposition among the landholders of the province.

It is significant that land reforms and agrarian legislation in India had motivated the Imperialists by political considerations and had often neglected economic considerations like productivity. The British never exhibited the good will to legislate in the interests of economic planning, but in order to forestall political unrest. They had kept an even balance of different interest groups of society so as to protect the social base of the colonial rule, and they usually did not reveal these motives and always preferred to think in terms of social justice.²

As discussed above, land reforms (and of them the Bengal Tenancy Act of 1885) were the important problems, which had engaged the attention of Lord Dufferin, soon after his arrival in India; and in the proceedings of the land reform bills he had personally taken interest in the Council meetings. However, some of the administrative measures which drew the attention of the Government of India, and in which Lord Dufferin took active interest are discussed below in order to examine the British attitude with the rule of an experienced British diplomat in the sphere of internal administration of India.

Soon after his arrival in India, Lord Dufferin was convinced on the need for constitutional reforms in the Legislative Councils.³ He was of the opinion that popular support of

-
1. Government of India, Legislative Deptt. Progs, No. 162, Appendix A-43, (Punjab Tenancy Act (1887) Papers).
 2. Dietmar Rothermund, The Bengal Tenancy Act of 1885, Bengal Past and Present, Vol. LXXXVI, July-Dec. 1867.
 3. "Undoubtedly the most vital and important of the notions started by the reformers is the change they propose in the Legislative Councils, I confess that soon after my arrival in the country it occurred to me that improvement might be possible in this direc-

(Contd. on page 156)

loyal and educated Indians could be utilised in these councils and was in favour of revising the constitution and powers of provincial legislative councils.¹ Northbrook was also in favour of revision of the composition and functions of the Councils, and had often suggested the selection by municipalities of representatives who might in turn elect members to the legislative councils.² But Kimberley had been opposed to any constitutional reform and instead had favoured reforms in improving administrative efficiency.³ When the Second Salisbury Ministry took over, Dufferin continued to press his views to Lord Cross, the Secretary of State for India. He affirmed that reform of the legislative councils might end much of the agitations in the country. To Lord Dufferin the leaders of 'a rather hysterical assembly' were only as 'poor' individuals "sober and moderate", and the Viceroy was able to meet most of them, and he had felt that the leaders

(Contd. from page 155)

tion...Amongst the natives I have met there are a considerable number who are both able and sensible, and upon whose loyal cooperation one could undoubtedly rely. The part of their supporting the government would popularise many of its acts, which now have the appearance of being driven through the legislature by force; and if they in their turn had a native party behind them, the Government of India would cease to stand up, as it does now, an isolated rock in the middle of a tempestuous sea, around whose base the breakers dash themselves simultaneously from all the four quarters of the heavens". (Minute of Lord Dufferin dated 26 April 1886).

1. "Now that we have educated these people, their desire to take a larger part in the management of their own affairs seems to me a legitimate and reasonable aspiration, and I think there should be enough statesmanship amongst us to continue the means of permitting them to do so without unduly compromising our Imperial Supremacy". Dufferin to Kimberley, 26 April, 1886, Dufferin Papers (Microfilm), Reel 517.
2. Northbrook to Dufferin, 30 July 1886, Dufferin Papers (Microfilm), Reel 525.
3. Kimberley to Dufferin, 11 June, 1886, Dufferin Papers (Microfilm), Reel 517.

were much satisfied with the justice and fairplay of official policies.¹ He suggested to Cross that it was not only the Bengalis but all educated Indians, inclusive of the Muslims, who wished to be more freely consulted in the administrative management of internal affairs,² "to authorise the Chief Municipalities, Universities, Muslim associations and such other bodies to send up names, from which the Government of India could select a few for nomination, and it would not the least endanger the ascendancy of British justice and the efficiency of the administration".³ It would, according to him, rather weaken the associations organised by a more radical section of the society.⁴ In support of his view he had even attacked the irresponsible character of the press and had advised Cross that it could easily be counteracted if only responsible opinion could find expression in the Councils.⁵

Some well-known Indians, however, to sufficient cognizance of Lord Dufferin's liberal views and the reforming zeal and on the council reforms Raja Peary Mohun Mookerjee, a leading landholder of Bengal, proposed to the Viceroy that local boards and public bodies of over ten years of standing should select electors who would, submit panels of names to the Government.⁶ On the other hand McDonnell believed that the local bodies, as constituted had been unable to provide suitable electors.⁷ Cotton had suggested that all the Maharajas and the Nawabs should invariably be made members for life,⁸

1. Dufferin to Cross, 20 and 29 March 1887, to Northbrook 11 March 1887, Dufferin Papers (Microfilm), Reel 518.

2. Ibid.

3. Dufferin to Cross, 15 and 20 March 1887, Dufferin Papers (Microfilm), Reel 518.

4. Ibid.

5. Dufferin to Cross, 20 and 29 March and 9 May 1887, Dufferin Papers (Microfilm), Reel 518.

6. See Note of Mookherjee. 1 June 1887, Dufferin Papers (Microfilm), Reel 531.

7. MacDonnell to Wallace, 14 June 1887, Dufferin Papers (Microfilm), Reel 531.

8. Cotton to Dufferin, 9 June 1887, Dufferin Papers (Microfilm) Reel 531.

while Peile, the retiring Home Member had requested the Viceroy to strictly restrict the right of elections only to the representatives of Princes and of the landed and commercial interests.¹ However, Dufferin's mature understanding of the educated classes, in the conduct of their own affairs, was confirmed and Lord Dufferin had both officially and privately submitted to the British Government his personal suggestions in this regard.² Lord Dufferin had repeatedly recommended the British Government to authorise him, before his departure, to take steps to introduce council reforms,³ and Lord Cross had finally agreed.⁴ The Viceroy's Council considered the question and being unanimously of opinion that the time had ripened for enlarging and liberalising the councils, appointed a sub-committee to formulate the details.⁵ In order to give publicity to his labours, Lord Dufferin had reluctantly proposed the publication of a formal announcement before he left India.⁶

In September 1885, Sir Alfred Lyall proposed to the Government of India that the provisions of the Act 24 and 25, Vict. Cap. 67, which had legalised the establishment of local legislative councils, might be extended to the North-Western Provinces and Oudh.⁷ However, a legal difficulty had to be overcome before this proposal could be carried out. The difficulty related to the doubts that whether the North-Western Provinces and Oudh could legally be constituted into a single province

-
1. Sir James Peile to Dufferin, 2 Oct. 1887, Dufferin Papers (Microfilm), Reel 531.
 2. Speech at St. Andrew's Dinner, Calcutta, 30 Nov. 1888, Speeches delivered in India, pp. 229-48.
 3. Dufferin to Cross, 17 and 30 August 1888, Dufferin Papers (Microfilm), Reel 518.
 4. Cross to Dufferin, 11 and 27 Sept. 1888, Dufferin Papers (Microfilm), Reel 518.
 5. Note of the Viceroy, 21 Sept. 1888, Dufferin Papers (Microfilm), Reel 534.
 6. Chasney to Dufferin, 22 Sept. 1888, Dufferin Papers (Microfilm), Reel 533.
 7. Home Deptt. (Judicial) Progs., March 1816, Cons. 86-88.

for legislative purposes.¹ The second legal question was that a local legislative council had been prohibited by the Indian Councils Act 1861 from amending any Act of the Governor-General in Council passed since 1861, and therefore the field of action for the new Legislative Council would have been very limited, was surrounded with great difficulty.²

It was suggested that this difficulty could be got over by scheduling certain Act, specially relating to the province, for which it would have devolved on the council to legislate, and declaring in appropriate words that 'nothing should prevent the local council from legislating on the subjects with which Act dealt.'³ The Government of India had considered that an enactment of this nature would in reality give effect to the intentions of the framers of the statute of 1861, which had clearly indicated that new Legislative Councils should be established at some future time not precisely defined.⁴

After stating these legal difficulties and the proposals for surmounting them to the Secretary of State, however, the British Indian Government expressed the opinion that 'it was expedient for political and administrative reasons to establish a separate Legislative Council for the North Western Provinces and Oudh.'⁵ The Secretary of State accepted the

-
1. The Government of India had, however, held that though Oudh was not expressly mentioned in Section 44 of the Statute 24 and 25 Vict. Cap. 67, there could be no difficulty in constituting, for the purposes of the statute under section 46, a new province consisting of the North-Western Provinces and Oudh, which could be united for legislative purposes only, nor any objection to the appointment of the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh as Lieutenant Governor of the new province with authority such as limited to the purposes of the statute.
 2. Randolph Churchill to Dufferin, 17 Dec. 1885, Dufferin Papers (Microfilm), Reel 517.
 3. Randolph Churchill to Dufferin, Jan. 1886, Dufferin Papers, (Microfilm), Reel 517.
 4. Dufferin to Randolph Churchill, 21 Aug. 1886, Dufferin Papers (Microfilm), Reel 517.
 5. Home Deptt. (Judicial) Progs., March 1886, Cons. 86.

reasons for constituting a council for North-Western Provinces and Oudh as sufficient.¹ The Secretary of State had favourably considered the details of a scheme for establishing a local council for the North-Western Provinces and Oudh on the condition that the proposed Council should exercise only those powers which would clearly belong to it under the statute. Lord Dufferin was advised that the territories forming the Lieutenant Governorship of the North-Western Provinces and the Chief Commissionership of Oudh could, by proclamation issued by the Governor General with the previous sanction of Her Majesty, be constituted into a new province for the purposes of the statute 24 and 25 Vic. Cap. 67, the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh being appointed Lieutenant Governor of the United Province for the purposes of the statute only.² The Government of India forwarded to the Secretary of State a draft proclamation with a recommendation that the Council should be established.³

The sanction of the British Government, having been obtained,⁴ a proclamation constituting the North-Western Provinces and Oudh into a Province, and appointing the Lieutenant-Governor of the North-Western and Chief Commissioner of Oudh for the time being to be Lieutenant-Governor of the Province, was issued on 26th November, 1886.⁵ The Governor General in Council fixed the 1st December 1886 as the date, from which the provision of the statute had to take effect, and nine as the number of councillors, who could be nominated by the Lieutenant-Governor. The first meeting of the Council was fixed for 8th January 1887.⁶ Dufferin's encouragement to Sir Alfred Lyall's proposal for a legislative council in the North-West Provinces, with a view to please the land-holders, exhibited his eagerness

1. Home Deptt. (Judicial) Progs., June 1886, Cons. 381 and 382 (A).
 2. Ibid.

3. Home Deptt. (Judicial) Progs., Sept. 1886, Cons. 124.
 4. Home Deptt. (Judicial) Progs., Nov. 1886, Cons. 258.

5. Home Deptt. (Judicial) Progs., Feb. 1887, Cons. 47-48.
 6. Home Deptt. (Judicial) Progs., Feb. 1887, Cons. 52-53.

to enlist the support of the conservative elements of Indian society.¹

Reforms in judicial administration were also Lord Dufferin's concern. For some time past, there was considerable discussion as to the best means of lessening the heavy load of work in different High Courts. It was generally regarded as desirable particularly owing to the fact that it had been frequently found necessary to make temporary additions to the strength of those courts. The heavy load of business on the Calcutta High Court in the autumn of 1884 necessitated an application to the Secretary of State to raise the strength of the Court to 15 judges.² Lord Kimberley agreed to the appointment of the additional judges on the understanding that the question of maintaining the court at the full strength of 15 judges should be reconsidered upon the occurrence of future vacancies.³ In July 1885, the Madras Government represented that the judges of the High Court, which consisted of a Chief Justice and four Puisne Judges were unable to cope with the work and suggested that the court of the small causes at the Presidency should be invested with power to try as a court of original jurisdiction, all the suits of which it could not take cognizance as a court of small causes.⁴ The matter was referred to the District Court at Calcutta which opposed the enlargement of the jurisdiction of the small-cause courts. Meanwhile, a memorial was received from some inhabitants in Calcutta praying that a court might be established in Calcutta Town, with jurisdiction equal to that of the High Courts, in exercise of its original civil jurisdiction,⁵ and the Calcutta High Court suggested as a remedy for the grievance represented by the memorialists that a special scale of costs should be laid down for small cases. The Government of Bombay at the same time asked the Government of India

-
1. Dufferin to Cross, 30 August, 1888, Dufferin Papers (Microfilm), Reel 518.
 2. Home Deptt. (Judicial) Progs., July 1884, Cons. 149.
 3. Home Deptt. (Judicial) Progs., Feb. 1885, Cons. 109.
 4. Home Deptt. (Judicial) Progs., Part B, Sept. 1885, No. 168.
 5. Home Deptt. (Judicial) Progs., Part B, Nov. 1885, Cons. 170.

for the appointment of an additional judge to the Bombay High Court to dispose of the outstanding cases.¹

The Government of India referred the matter to the Secretary of State for "better consideration and suggestion", and, as the question was of importance from a financial point of view, the whole matter was referred to the Finance Committee, which was then (1826) holding its sittings.² The proposals eventually made by the Finance Committee, with the object of reducing the work of the High Courts, were that some of the cases heard on the original side of the High Court should be dealt with by a new Civil Court of the ordinary character or by the small cause courts. The former alternative was favoured by the Government of Bombay and the latter by that of Madras, while the Calcutta High Court objected to both.³

Sir Alfred Lyall, in July 1826, impressed upon the Government of India the view that heavy responsibilities of the Chief Criminal and Civil Court of an 'important province' were too great for a court composed of one Judge, and expressed his conviction that the Court of the Judicial Commissioner was no longer able to command as an institution that degree of confidence which its powers and position required. He stressed that the work had increased in amount and also in intrinsic weight and importance, which was evident with the increases in the number of appeals to the Privy Council.⁴ The Government of India accepted the proposal that the jurisdiction of the High Court of the North-Western Provinces should be extended to the province of Oudh as being desirable on administrative grounds.⁵

Two legal questions, however, arose for the consideration of the Government. In the first place there was a doubt

1. Home Deptt. (Judicial) Progs., Sept. 1825, Cons. 144.

2. Home Deptt. (Judicial) Progs., Part B, June 1826, Cons. 20 and 221.

3. Home Deptt. (Judicial) Progs., Part B, Aug. 1826, Cons. 161 and 162.

4. Home Deptt. (Judicial) Progs., Part B, Oct. 1826, Cons. 67.

5. Home Deptt. (Judicial) Progs., Sept. 1827, Cons. 305.

whether section 3 of 28 and 29 Vict. Cap. 15 which conferred, on the Governor General in Council, the powers given to Her Majesty in Council by section 18 of 24 and 25 Vict. Cap. 104, (Viz. "from time to time...to transfer any territory or place from the jurisdiction of one to the jurisdiction of any other of the High Courts..., and generally to alter and determine the territorial limits of the jurisdiction of the said several courts",) would permit of the course proposed. In the second place, it was open to question whether, under the Letters Patent, and Bench of the High Court could be authorised to sit in Oudh - a Province which was never subject to the superintendence of the Sadar Diwani Adalat or the Sadar Nizamat of the North-Western Provinces. These difficulties did not appear to the Government of India to interfere with the carrying out of Sir Alfred Lyall's proposal, in as much as it considered, that the Province of Oudh was such part of Her Majesty's dominions as was contemplated in section 3, 28 and 29 Vict. Cap. 15. It had already, in exercise of the powers conferred therein, empowered the High Court of the North-Western Provinces to exercise original and appellate criminal jurisdiction over European British subjects in Oudh, while the Letters Patent of the High Court empowered the Governor General in Council to amend or alter them in any respect.²

The Government of India accordingly recommended to the Secretary of State the detailed proposals of Sir Alfred Lyall viz. (1) that two Judges of the High Court should constitute the divisional bench; (2) that this Bench should hold its sittings at Lucknow; (3) that there should be periodical changes in the personnel of the Judges who would sit at Lucknow; (4) that cases from the Rohilkhand Division of the North-Western Provinces should be heard by the Divisional Bench at Lucknow, while a certain number of cases of exceptional importance should be removed to the Benches

1. Home Deptt. (Judicial) Progs., Sept. 1887, Cons. 307 and 308.

2. Home Deptt. (Judicial) Progs., Sept. 1887, Cons. 311.

at Allahabad: (5) that some portion of the Civil work which now goes before a Bench of two Judges of the Allahabad High Court should be entrusted to Judges sitting singly; and (6) that the High Court should be strengthened by the addition of one more Judge.¹ The Government of India also asked for the general sanction of the Secretary of State to the abolition of the office of the Judicial Commissioner in Oudh, the addition of a fifth Puisne Judge of the High Court of the North-Western Province of Oudh.²

The Secretary State communicated to the Government of India, in February 1888, that doubts were raised on the legal powers of the Governor General-in-Council to carry out these proposals.³ He had consulted the law officers of the Crown on the subject and their opinion was that the Government of India had no power to extend the jurisdiction of the High Court in the manner proposed either under section 3, 28 and 29 Vict. Cap. 15, or by legislation under section 22 or 24 and 25 Vict. Cap. 67. Consequently, an Act of Parliament was required, and as Lord Cross recognised the importance of the proposed extension, he was prepared to apply to Parliament for the powers needed to effect it 'on the first convenient opportunity'.⁴ A Bill was accordingly introduced into the House of Lords and remained under consideration even after Lord Dufferin had left India.

In regard to the administration of justice in the non-Regulation provinces it was observed that the judicial administration of each of the larger provinces had been under consideration for some time. In 1884, the Punjab Courts Act had been passed with the object of effecting a further separation between executive and judicial functions, and of improving the Machinery for the administration of civil justice. The increase of work in the Chief Court, which had resulted from the abolition of the Divisional Benches, necessitated

-
1. Home Deptt. (Judicial) Progs., Sept. 1887, Cons. 149.
 2. Ibid.
 3. Home Deptt. (Judicial) Progs., May 1888, Cons. 190.
 4. Ibid.

the appointment of a fourth judge to that court,¹ and the Punjab Government had been requested to specify the economies which could be effected in order to meet the additional expenditure, thus rendered necessary.² That Government, in March 1887, addressed the Government of India asking for the appointment of a fifth Judge permanently and sixth Judge temporarily to the Chief Court.³ The Government of India had desired that a close examination of the existing judicial establishment in Punjab should be made as proposed by the Finance Committee, which had noticed that the judicial system in Punjab had been, in some respects, more costly than that of other provinces. However, the Secretary of State had sanctioned the appointment of a fifth judge of the Chief Court and a sixth judge for six months.⁴

Technical education was another important measure which engaged a good deal of attention of the Viceroy. Technical education had been brought into prominence in India by the pressure of two sets of considerations which, though cognate, were not identical. In the first place it had been observed that practical knowledge should be imparted to the great mass of the people. It was accordingly recommended by the Education Commission and accepted by the Government of India, as a reform to be desired, that a secondary school course should be introduced which should fit boys for industrial and commercial careers. Upon this subject the Government of India had, in 1886, circulated a Memorandum to all Local Governments and Administrations in which the position of industrial schools was set forth; and had suggested that drawing and the rudiments of the sciences should be taught in all but the most elementary schools; and that generally throughout the educational system the study of natural science and the cultivation of the faculty of observing and reasoning from observation and experiment should be

1. Home Deptt. (Judicial) Progs., Feb. 1886, Cons. 30.

2. Home Deptt. (Judicial) Progs., Oct. 1886, Cons. 18.

3. Home Deptt. (Judicial) Progs., Oct. 1887, Cons. 8¹ and 84.

4. Home Deptt. (Judicial) Progs., Oct. 1887, Cons. 87.

encouraged.¹ In the second place, considerations, which had forced this question into prominence, were concerned with the need of industrial occupation for a population rapidly outgrowing the means of support supplied by too conservative a system of agriculture.²

Thus Lord Dufferin had favoured the idea of technical education as an extension of general education, that it should promote and countenance such technical education of a special character as may be applied to the service of the existing industries, which would profit by the aid of scientific research, scientific method and higher manipulative skill.³ The Governor General in Council suggested, in the first place, that in each province and industrial survey should be completed. In the second place, he recommended that, with a view to turning the knowledge acquired by such a survey to the best account in the light of the abundant information contained in the Report of the Royal Commission on Technical education, each Government and Administration should form a Committee of educational experts and professional men, who should make suggestions from time to time for the auxiliary supply of appropriate means of technical education.⁴

The proposal for the establishment of a University at Allahabad was also finalised during Lord Dufferin's Viceroyalty. The Education Commission, in its report, had held it to be 'a point worthy of consideration whether a new University for the North-Western Provinces and Oudh should now be established', and this view was accepted by the Government of India.⁵ The Government of India had informed the local Government that the Governor General-in-Council was willing to consider the question of establishing a separate University

-
1. Home Deptt. (Education) Progs., Cons. 28. Memorandum of Mr. A.P. MacDonnell on Technical Education.
 2. Ibid.
 3. Home Deptt. (Education) Progs., August 1887, Cons. 34. Home Deptt. Note on Technical Education in India.
 4. Ibid.
 5. Home Deptt. (Education) Progs., Part B, Jan. 1885, Cons. 2.

for the North-Western Provinces and Oudh and invited Lieutenant Governor's proposals on the subject.¹

In August 1886, the North-Western Provinces and Oudh Government submitted a scheme on the proposal made by the Education Commission.² The principal arguments, used in the support of the scheme, were the general desire of the educated community in the North-Western Provinces and Oudh for a separate University; the want of harmony between the syllabus followed in certain classes of schools in the North Western Provinces and Calcutta University curriculum; exclusion of the representatives of Upper India in the administration of the University, and the number of alternative subjects allowed at Calcutta which overtaxed the limited educational staff of the North-Western Provinces and Oudh.³ The Secretary of State sanctioned the establishment of a University at Allahabad. An Act No. XVIII of 1887 was passed by the Imperial Legislature for giving effect to the scheme, which empowered the Senate to constitute faculties of Arts and Law, and with the previous approval of the Governor General in Council, of Engineering and Medicine.⁴

One of the most important subjects, which engaged the attention of the Government, was connected with the recruitment of Convenanted Civil Service and the appointment of Indians of proved merit and ability to offices, places and employments in the Civil Service of Her Majesty in India. The question of amending the rules framed in 1879, with the object of regulating the appointment of Indians of merit and ability, was considered towards the close of Lord Ripon's administration. Lord Ripon had consulted the local Governments on the subject of improving the existing rules, and had forwarded to Home Government his

1. Home Deptt. (Education) Progs., Jan. 1886, Cons. 20-21.

2. Home Deptt. (Education) Progs., Part B, Nov. 1886, Cons. 19. Also *Govt. of India, Legislative Deptt. Progs.*, Oct. 1887, K.W. Papers relating to Allahabad University Act 1887.

3. *Ibid.*

4. Government of India, Legislative Deptt. Progs., Oct. 1887, Cons. 43; Act No. XVIII of 1887 (Appendix M).

recommendations advocating that the age limit at the open comparative examination should be raised.¹ The changes proposed by it, while they would have affected all candidates for the Indian Civil Services, were in the main intended to regulate the admission of Indians to that service; and in particular to give additional facilities for their admission through the competitive examination in London.

Commenting on the September Minute of Lord Ripon, Lord Kimberley had pointed out that, for the purpose of carrying out the proposals, very material alterations would have to be made in the regulations for the examination deriving their force from Statute 21 and 22 Vict. Cap. 106, Section 32.² The power of making or modifying these regulations was not a function of the ordinary mechanism of the Indian Government, but a special power confined by Parliament to the Secretary of State in Council, who could only exercise it with the advice and assistance of the Civil Service Commissioners.³ The Secretary of State had rejected this September Minute of the Viceroy, but had hoped that, in the long run, "avenues will be discovered to the admission of the Indians to the higher appointments of the public service in numbers determined by their capacity for administration and consistent with overruling political considerations".⁴

Lord Dufferin was much inclined to raise the age limit, but could not insist in face of Kimberley's opposition, and then he turned his attention to the improvement of Statutory Service. However, sharp opposition came from Ripon, who considered the refusal to raise the age limit 'not only a most serious error but politically a singularly foolish act', and he

-
1. Home Dept. (Pb.) Despatch No. 51, dated 12 Sept. 1884, from the Governor General of India to the Secretary of State; Minute of Lord Ripon, dated 12th Sept. 1884.
 2. Home (Pub.) Despatch, No. 1, dated 8 Jan. 1885, from the Secretary of State to the Governor-General of India.
 3. Ibid.
 4. Ibid.; Home Dept. (Pub.) Progs. Jan. 1885, Cons. 122. Kimberley to Dufferin, 8 Jan. 1885, Dufferin Papers (Microfilm), Reel 516.

even threatened to 'oppose it in Parliament with the support of the great majority of the Liberal Party'.¹ In face of this, Kimberley hinted to Dufferin that he might reply that the whole subject was under consideration.² But Randolph Churchill, on succeeding Kimberley, took more liberal view, and directed Lord Dufferin to consider both liberalising the rules of admission to statutory service as well as raising the age limit for the covenanted service.³ Kimberley, however, back in office in a few months, gave consideration to this problem, for on no issue he felt so strongly as 'on the need to keep the Indian element in the administration in subordinate position'.⁴

The Government of India prepared a draft on the subject, circulated it for opinion to the Provincial Governments and, after collecting their views and comments, again referred the issue to the Secretary of State enclosing a copy of the rules proposed by it.⁵ The rules were based on the assumption

1. Ripon to Dufferin, 17 April 1885, Dufferin Papers (Microfilm), Reel 516.
2. Kimberley to Dufferin, 17 April 1885, Dufferin Papers (Microfilm), Reel 516.
3. Randolph Churchill to Dufferin, 22 Sept. 1885, Dufferin Papers (Microfilm), Reel 517.
4. Kimberley to Dufferin, dated 14 Feb 1886, Dufferin Papers (Microfilm), Reel 517; Home (Pub.) Despatch dated 12 March 1885, from the Secretary of State to the Governor General of India. See also Home (Pub.) Despatch No. 65, dated 15 July 1886 from the Secretary of State to the Governor General of India.
5. "It explained that its object had been to confine the rules to points of principle in regard to which it was essential to secure uniformity of system, and to lay down regulations regarding the annual allotment of nominations amongst local Governments and Administrations the age limit of nominees, the particulars by which nominations would be accompanied, the requirement of a period of probation on the part of certain candidates, and the circumstances under which persons appointed to a particular office should be considered for promotion to a higher office. In the general rules it had been provided that the nominees should be selected in accordance with the provisions of regulations to be

(Contd on page 170)

that the arrangements for the open competition would remain untouched, and the statutory civilians would be admitted to reserved office to the extent of one fifth of the covenanted civilians appointed in each year.¹ The Government of India stressed that without parliamentary legislation it would be impossible to devise a scheme which might reasonably be hoped to possess the necessary elements of finality and to do full justice to the claims of the Indians to higher employment in public service.²

Lord Kimberley was 'convinced' and considered it 'very desirable' that the 'whole question should be reopened and carefully reconsidered' in the manner suggested,³ and requested Government of India to appoint a Commission, which should contain few Indian members to sufficiently represent the 'different classes and modes of thought in India', and a trained English lawyer or judicial experience 'to conduct enquiry into the question of the conditions of the admission of Indians to the public service, with the power to go into the whole subject independently.'⁴ The object of the Commission, as Kimberley had defined, was to "devise a scheme which

(Contd. from page 169)

drawn up for each province, and to be duly published after having been sanctioned by the Governor General in Council, and had endeavoured to exclude from them all unessential points or matters of comparative detail for which sufficient provisions could be made in the local rule or in regard to which it was undesirable to stereotype a general rule which might afterwards be shown to require modification". Home Deptt. (Pub.) Despatch No. 11, dt 9 Feb. 1886, from the Governor General of India to the Secy. of State.

1. Dufferin to Kimberley, 11 June 1886, Dufferin Papers (Microfilm), Reel 517
2. Ibid.; Dufferin to Kimberley, 18 June 1886, Dufferin Papers (Microfilm), Reel 517.
3. Kimberley to Dufferin, 18 June 1886, Dufferin Papers (Microfilm), Reel 517.
4. Despatch (Pub.) No. 65, dated 15 July 1886, from the Secretary of State to the Governor General of India; Kimberley to Dufferin, 16 July 1886, Dufferin Papers (Microfilm), Reel 517.

might reasonably be hoped to possess the necessary elements of finality, and to do full justice to the claims of Indians to higher employment in public service".¹ A resolution, embodying these principles, was passed and issued on 4 October, 1886, under which it was announced that a Commission of about fifteen members, comprising the nominees of the *Government of India and the Government of Madras, Bombay, Bengal, N.W. Provinces and Oudh*, would be appointed under Sir Charles Aitchison, then Lt. Governor of Punjab.² Each Government was requested to submit three names of administrative officers, with sufficient experience and three Indians representing different classes and modes of thought. The Commission, after prolonged enquiry, submitted its report on 18th January, 1888, which, along with the conclusions of Government of India, was forwarded to the Secretary of State in October, 1888.³

Since 1881, and Government of India had laid its plan for the recruitment of five sixth of the officers of Covenanted Service in England of one-sixth in India. As the Commission did not propose a reduction in the aggregate strength of the service, but a redistribution of officers between the covenanted or imperial and the provincial service, the Government of India was inclined to think that, so far as the Commission's proposals were concerned, no reduction in the scale of recruitment for the *Imperial Service* would be called for. In order to give effect to the proposals in regard to the Provincial Service, all that needed to be done was to cease recruiting officers under the statute of 1870, and commence recruiting Provincial Officers to the same extent to which statutory officers had hitherto been recruited.⁴

-
1. Home Deptt. (Pub.) Progs., Nov. 1886, Cons. 115. Resolution No 34/1573-78 dated Simla, the 4th October, 1886.
 2. Ibid.; Dufferin to Cross, 4 Oct. 1886, Dufferin Papers (Microfilm), Reel 517.
 3. Home Deptt. (Pub.) Despatch No. 58, dated 9 Oct. 1888, from the Governor General of India to the Secretary of State.
 4. Ibid.

that the arrangements for the open competition would remain untouched, and the statutory civilians would be admitted to reserved office to the extent of one fifth of the covenanted civilians appointed in each year.¹ The Government of India stressed that without parliamentary legislation it would be impossible to devise a scheme which might reasonably be hoped to possess the necessary elements of finality and to do full justice to the claims of the Indians to higher employment in public service.²

Lord Kimberley was 'convinced' and considered it 'very desirable' that the 'whole question should be reopened and carefully reconsidered' in the manner suggested,³ and requested Government of India to appoint a Commission, which should contain few Indian members to sufficiently represent the 'different classes and modes of thought in India', and a trained English lawyer or judicial experience 'to conduct enquiry into the question of the conditions of the admission of Indians to the public service, with the power to go into the whole subject independently.'⁴ The object of the Commission, as Kimberley had defined, was to "devise a scheme which

(Contd. from page 169)

drawn up for each province, and to be duly published after having been sanctioned by the Governor General in Council, and had endeavoured to exclude from them all unessential points or matters of comparative detail for which sufficient provisions could be made in the local rule or in regard to which it was undesirable to stereotype a general rule which might afterwards be shown to require modification". Home Deptt. (Pub.) Despatch No. 11, dt 9 Feb. 1886, from the Governor General of India to the Secy. of State.

1. Dufferin to Kimberley, 11 June 1886, Dufferin Papers (Microfilm), Reel 517
2. Ibid. ; Dufferin to Kimberley, 18 June 1886, Dufferin Papers (Microfilm), Reel 517.
3. Kimberley to Dufferin, 18 June 1886, Dufferin Papers (Microfilm), Reel 517.
4. Despatch (Pub.) No. 65, dated 15 July 1886, from the Secretary of State to the Governor General of India ; Kimberley to Dufferin, 16 July 1886, Dufferin Papers (Microfilm), Reel 517.

might reasonably be hoped to possess the necessary elements of finality, and to do full justice to the claims of Indians to higher employment in public service".¹ A resolution, embodying these principles, was passed and issued on 4 October, 1886, under which it was announced that a Commission of about fifteen members, comprising the nominees of the Government of India and the Government of Madras, Bombay, Bengal, N.W. Provinces and Oudh, would be appointed under Sir Charles Aitchison, then Lt. Governor of Punjab.² Each Government was requested to submit three names of administrative officers, with sufficient experience and three Indians representing different classes and modes of thought. The Commission, after prolonged enquiry, submitted its report on 18th January, 1888, which, along with the conclusions of Government of India, was forwarded to the Secretary of State in October, 1888.³

Since 1881, and Government of India had laid its plan for the recruitment of five sixth of the officers of Covenanted Service in England of one-sixth in India. As the Commission did not propose a reduction in the aggregate strength of the service, but a redistribution of officers between the covenanted or imperial and the provincial service, the Government of India was inclined to think that, so far as the Commission's proposals were concerned, no reduction in the scale of recruitment for the Imperial Service would be called for. In order to give effect to the proposals in regard to the Provincial Service, all that needed to be done was to cease recruiting officers under the statute of 1870, and commence recruiting Provincial Officers to the same extent to which statutory officers had hitherto been recruited.⁴

-
1. Home Deptt. (Pub.) Progs., Nov. 1886, Cons. 115. Resolution No 34/1573-78 dated Simla, the 4th October, 1886.
 2. Ibid.; Dufferin to Cro's, 4 Oct. 1886, Dufferin Papers (Microfilm), Reel 517.
 3. Home Deptt. (Pub.) Despatch No. 58, dated 9 Oct. 1888, from the Governor General of India to the Secretary of State.
 4. Ibid.

The Government of India agreed with the Commission that a simultaneous examination should be held in India and England.¹ It, however, advocated the raising of the age limit from 18 to 23 years, considering that this change, in reference to English candidates, was necessary in the interests of the Government of India.² The Commission also considered the method of recruiting candidates for the Provincial Service. On this important matter Commission ruled that no uniform system, applicable to all Provinces, could be adopted. It recommended that the recruitment should be made separately by the Provincial Governments to meet their own requirements, but under the rules to be sanctioned by the Government of India. The Government of India had viewed these important recommendations with entire approval and took early measures in communication with Provincial Governments to frame rules of recruitment for the different provinces.³

The scheme of the Commission, for the constitution of the provincial service, was to create it partly out of the Covenanted Civil Service. With respect to the uncovenanted service, it proposed to divide it into two parts and to constitute the new Provincial Service by uniting the higher uncovenanted appointments with the appointments transferred from the Covenanted Service. Appointments in the Uncovenanted Service, below the dividing line, was proposed to constitute into a 'Subordinate Civil Service'. The precise point, at which this dividing line should be drawn, might vary slightly in different provinces, and was, therefore, to be fixed by Provincial Governments with the sanction of the Government of India. As regards personnel, the Commission had proposed that the Provincial Service should be manned partly by promotion from the 'Subordinate Civil Service' and partly by recruitment from people, who fulfil certain conditions regarding residence in the Province etc. It had been recommended

1. Ibid.

2. Ibid.

3. Ibid.

that persons, so recruited, would be subject to a period of probation or training, during which time their appointment would be provisional. To this scheme the Government of India gave its full support specially it approved the recommendations that each Provincial Service should be constituted from among the residents in the respective provinces.¹

Thus, in internal affairs, Lord Dufferin does not exhibit any change from the traditional British policy, followed after the mutiny. Whatever measures were adopted were, on the whole a necessity for the administration itself. Due to the feelings of racial superiority, the British members of the Civil Service continued to dislike the idea of having Indians, however qualified, as their superiors. However, Lord Dufferin's strong advocacy of the reforms in the Legislative Councils indicates that he had at least recognised the need of adjusting British policy to the new situation in India.

1. Ibid.

BRITISH IMPERIAL DEFENCE IN SOUTH ASIA

SOME MEASURES OF REORGANISATION AND STRENGTHENING OF IMPERIAL DEFENCE

As has been observed the British Indian frontiers needed necessary build-up to repulse any possible external attack. The incident of Panjdeh had 'sufficiently alarmed' the British to take immediate measures to save Herat and ultimately the North-Western Frontier.¹ The British Government took a serious view of the possible consequences, and Lord Dufferin himself initiated a number of measures for the defence of the frontier and the re-organisation of the Military Department.²

Early in 1885, Lord Dufferin was convinced, in view of the possibility of war with Russia, that the strength of the armed forces in India required reconsideration. An increase

-
1. Military Despatch No. 112, dated 10 July 1885, from the Governor General of India to the Secretary of State; and Military Despatch No. 271, dated 15 October 1885 from the Secretary of State to the Governor General of India.
 2. The Military Department was organised for administrative purposes into three main divisions. Basically the Military Department had to deal with the mobilisation of the army, reorganisation of staff and army departments, questions connected with the appointments, submarine mining defences, questions of accounts in India or with the War Office, military police, inspection, supply transport, Clothing and Equipment of the army etc. Every effort had been made to decentralise military business and to give power to local authorities, but the Central Office of Military administration had to deal with the proposals for change involving financial consideration and to lay all important military matters before the Governor General in Council,

of the armed forces in the country was also considered in order to place them on a footing adapted to the new conditions they might be called upon to meet.¹ The Government of India sent proposals to the Secretary of State with a view to place the Indian armies on a footing, adapted to the new conditions, and to be able to meet the new challenges which they might be called upon to face.² The advance of Russia and her increased proximity to the North west Frontier, had rendered the existing military establishments no longer adequate for the duties they might have to fulfil.³

The proposals made by the Viceroy were as follows :

The permanent establishment of British troops in India to be increased from 59,000 to 70,000 by the addition of 1100 men of arms as follows:

CAVALRY

The addition of a fourth squadron to 9 regiments-1332

ARTILLERY

1 Battery of horse artillery	...	157
2 Batteries of field artillery	...	314
2 Batteries of mountain artillery at 106	...	212
6 Batteries of Garrison Artillery	...	690
<hr/> 11		<hr/> 1373

1. Military Despatch No. 112, dated 10 July 1885, from the Governor General of India to the Secretary of State. Dufferin to Kimberley, 3 Feb., 2 March, 10 March, 17 March, 23 March 1885; Kimberley to Dufferin, 13 March, 17 March, 20 March 1885, Dufferin Papers (Microfilm), Reel 516
2. Government of India Military Despatch No. 135, dated 14 August 1885. Dufferin to Randolph Churchill, 30 July, 7, A, 21 August 1885, Dufferin Papers (Microfilm), Reel 517.
3. Military Despatch No. 112, dated 10 July 1885, from the Governor General of India to the Secretary of State. Dufferin to Kimberley, 17 and 23 March, 1885; 6 and 13 April 1885, Dufferin Papers (Microfilm), Reel 517,

INFANTRY

Increase of 100 men to 50 regiments	...	5000
Three additional battalions at 984	...	2952

 7952

Total increase	...	10657
----------------	-----	-------

By these additions the total new establishments (exclusive of officers) was as follows:

Establishment as then existing	...	59371
Addition as above	...	10657

 70028

The proposals for the increase to the cavalry amounting to 4572 men, and which were recapitulated in this despatch had been sanctioned by the Secretary of State. The subsequent addition of a third squadron to the Cavalry of Corps of Guides raised the increase in this arm to 4704. As regards the increase to the infantry, the original recommendation was that 200 men should be temporarily added as a war measure to each regiment of the three armies. For this a scheme was then substituted for the permanent re-organisation of the infantry to replace the system, then existing, which was adapted only for Indian service and the maintenance of internal tranquility.¹

IN BENGAL

A new regiment of 'Mazhabi' pioneers (34th)	...	912
Three new battalions of Sikhs	...	2736
Five new battalions of Gurkhas	...	4560
The increase of 47 existing battalions by 80 men each-832 to 912 of all ranks	...	3760

 11968

Existing establishment	...	46400
------------------------	-----	-------

 Total : ... 58368

1. Despatch No. 88, dated 15 April 1886, from the Secretary of State to the Governor General of India.

These proposals were sanctioned by the Secretary of State, but financial considerations did not admit of all being carried out for some time, for, the increase to the military estimates caused by these changes was calculated at £ 1,196,800 annually, excluding non-effective charges. In India Army Circulars 1887, Clause 46, orders were issued for the formation of the three new battalions of Sikhs and the 2nd battalion of the 3rd Gurkhas ; also for the addition of a squadron to the Guides Cavalry. It was, however, afterwards decided that one of the new regiments should be composed entirely of Dogras.¹

In March 1885, a scheme was adopted for the organisation of a Volunteer Reserve in India, with a view to enrol all persons, unable or unwilling to join active volunteer corps, and thereby to secure for military service, in case of emergency, the required manpower.² This measure was the outcome of certain proposals made many years ago by Lt. Col. Collen and subsequently by Col. Grey and by Lt. Col. Rivett Carnac, for increasing the armed forces.

Several proposals for the encouragement of the volunteer movement had been under the consideration of the Government of India since 1883 ; and, in June 1885, Lord Dufferin decided that the following advantages should be conceded to the volunteer forces of India, with a view to increase their efficiency and making the movement more popular³ :—

- (a) The grant of permission to obtain from the ordnance department, at half price, any ammunition required for practice and matchshooting;

-
1. Dufferin to Cross, 2 April 1887 and Cross to Dufferin 22 July 1887, Dufferin Papers (Microfilm), Reel 518.
 2. Dufferin to Kimberley, 30 March 1885, Dufferin Papers (Microfilm), Reel 517.
 3. Military Despatch No. 166, dated 21 Sept. 1885, from the Governor General of India to the Secretary of State ; Also Dufferin to Kimberley, 19 June 1885, Dufferin Papers, (Microfilm), Reel 517.

- (b) The grant of an allowance of Rs. 100/- a month to each volunteer corps of over 300 members, towards the maintenance of a band;
- (c) Permission to adopt scarlet uniform, and draw an allowance of five rupees per efficient volunteer for its provision ; and
- (d) The grant of a medal to the best shot amongst the volunteers in each province of India, in addition to that given for the best shot in each presidency.

Besides this, the Government of India decided, with a view to its better administration, that the volunteer force should be transferred from the control of the Civil to that of the military authorities. The volunteers in the Bengal Presidency were accordingly placed under the control of the Commander-in-Chief in India, and the volunteer corps in the Bombay Presidency under the local Commander-in-Chief. On the recommendation of the Madras Government, the volunteer forces in that presidency were not then transferred to the Commander-in-Chief of the Madras Army.¹

The adoption of above measures had resulted in a considerable increase in the volunteer forces of India and in the formation of volunteer reserves in different parts of the country.² In the beginning of 1885 there were about 13,500 volunteers in India, while by the autumn of 1888 the numbers had risen to nearly 18,500.³ Lord Dufferin had always taken a great interest in the development of volunteers in the country, and had publicly expressed this interest on various occasions.

One of the most important military measures initiated during the Viceroyalty of Lord Dufferin was the formation of reserves for the Indian army. In 1885, the Government of

1. Dufferin to Kimberley, 10 May 1886, Dufferin Papers (Microfilm), Reel 517.
 2. Kimberley to Dufferin 16 April 1886 ; Dufferin to Kimberley 21 March 1886, Dufferin Papers (Microfilm) Reel 517.
 3. Dufferin to Kimberley, 3 Feb. 1885, Dufferin Papers (Microfilm), Reel 517. Also Minute of Lord Dufferin dated 8 Dec. 1888,

India considered the necessity for increasing the strength of native regiments, in the event of their being required for war,¹ and of adopting some means for maintaining that strength in the field.² Earlier, the subject had been referred to by Lord Lytton's Government in 1879, as one of the principal reasons, which had led to propose the appointment of the Army Commission in that year; and in their despatch on the subject they brought to notice that India had a large army in the world having no 'reserves' and had to pay in peace time for the whole available force which it could put into the field in war.³

In March 1885, the Government of India proposed two alternative schemes to the Secretary of State.⁴ The first followed the plan proposed by the Army Commission (1879) under which men passed into the 'reserves' would still belong to their respective regiments, and would rejoin them when called out.⁵ While on long leave they were liable to be called out for training once a year or once in two years, as might be found advisable.⁶ In the other plan it was proposed that the 'reserves' should be territorial in character, and that the men passed into the 'reserves' should not belong to any particular regiment, but should be called up and formed into a battalion to be stationed at some place near their homes.⁷ It was recommended that each of these plans should have a trial. Some tables were attached to this despatch showing that in the Bengal infantry no less than 43.88 percent were under five years service, and 63.34 percent under ten years service, proving that

1. Dufferin to Cross, 25 March 1888, Dufferin Papers (Microfilm), Reel 518.

2. Dufferin to Kimberley, 24 Feb., 2 March, 10 March 1885, Dufferin Papers (Microfilm), Reel 517.

3. Military Despatch No. 168, dated 22 May 1879 from the Governor General of India to the Secretary of State.

4. Government of India, Military Despatch No. 44 dated 17 March, 1885; Dufferin to Kimberley, 23 March, 6 April, 1885, Dufferin Papers (Microfilm), Reel 517.

5. *Ibid.*

6. *Ibid.*

7. *Ibid.*

whether 'reserves' were established or not, the army was a short service army, and that there must be a large number of young trained soldiers scattered all over the country who had voluntarily taken their discharge.¹

The Secretary of State was opposed to the plan of creating 'reserves' battalions,² as he considered that they would fail to provide for the immediate strengthening of corps proceeding on service. He notified his entire concurrence on long leave plan and authorised the Government of India to give effect to it to such extent as might be deemed advisable.³ The measure thus sanctioned was introduced in 1886.

Briefly described, the following was the system of reserves instituted.

The formation of two 'reserve' forces in the infantry had been directed viz (1) an active 'reserve' limited to 100 men per battalion, and formed of men transferred after not less than 5 nor more than 12 years service with the colours, and (2) a garrison 'reserve' unlimited in numbers, formed of soldiers pensioned after 21 years service, or who have completed a total colour and 'reserve' service of not less than 21 years. Men belonging to the latter were liable only for garrison duty within the frontiers of British India, while those of the active reserve were liable for field service with any one of the battalions linked with their own. Men of both reserves were to draw their full pay and good conduct pay, while embodied for training or called up for service during war. The active reserve were to be embodied for training one month every year and the garrison reserve every alternate year.⁴

-
1. Ibid; Dufferin to Kimberley, 13 April 1885, Dufferin Papers (Microfilm), Reel 517.
 2. Kimberley to Dufferin, 1 May 1885, Dufferin Papers (Microfilm), Reel 517.
 3. Military Despatch No. 192 dated 23 July 1885 from the Secretary of State to the Governor General of India.
 4. Military Despatch No. 192, dated 23 July 1885 from the Secretary of State to the Governor General of India. Randolph Churchill to Dufferin, 2 July 1885, Dufferin Papers (Microfilm), Reel 517.

The system of reserves was, in the first instance; limited to the Bengal Army and the Punjab Frontier Force; but was subsequently extended, by Indian Army Circulars, 1887, clause 43, to the Madras and Bombay armies: the numbers being limited to 160 men per battalion of Madras and Bombay infantry. The strength of the reserves of the Bengal army was at the same time raised to 218 men per battalion.

Hardly less important than the formation of reserves, was the change in the organisation which took place by the linking of battalions of native infantry, and the formation of regimental centres. The plan of substituting regiments, composed of two or more linked battalions for single battalion regiments, was one which was brought forward as part of a general scheme for strengthening the native army, and rendering it more capable of undertaking service beyond the frontiers of India.¹ Under the old scheme, when part of the Indian army proceeded on service against a foreign enemy, the regiments, remaining in quarters, afforded no aid towards re-inforcing the ranks of those, except such as could be given by the uncertain and generally insufficient process of volunteering. Whereas under the new system each battalion on service had at least one battalion, if not two, remaining in India to act as feeders to it.²

The Secretary of State sanctioned the adoption of the linked battalion system, but remarked that the full benefit of the measure could only be prospective, as men, then in service, could not without their consent be transferred to one of the battalions linked with their own.³ The orders for the introduction of this new organisation into the Bengal army were issued vide clause 170 of India Army Circulars 1886, when it was stated that all enlistments in any battalions after the 1st November 1886 would be for the group of two or more

-
1. Dufferin to Randolph Churchill, 3 July 1885, Dufferin Papers (Microfilm), Reel 517.
 2. Dufferin to Randolph Churchill, 30 July 1885, Dufferin Papers (Microfilm), Reel 517.
 3. Kimberley to Dufferin 16 April 1886, Dufferin Papers (Microfilm), Reel 517.

battalions. The recruits enlisted for one battalion of a group were liable to serve in the battalions linked with it, and could be transferred, if required, in case of war. The depot of the battalion on service, when it was practicable, was to be attached to one of the linked battalions, which was to continue to supply trained soldiers to fill the ranks of the battalion in the field during the continuance of war.¹

The subject of mobilisation was one which had from time to time, for many years in the past, been under consideration in the Military Department. As far back as 1875, a scheme of mobilisation was laid before the Government of India by the Secretary in the Military Department who again in the following year drew attention to this important subject. The subject was next considered by the Army Organisation Commission of 1879, which dealt with the matter in considerable detail, and strongly advocated the formulation of plans for mobilisation, the want of which was afterwards very clearly demonstrated during the war preparations of 1885.

In consequence of the proposals made by the Commander-in-Chief for the redistribution of the garrison of India, one of the leading features of which was the idea that it might be required to place a force, consisting of two army corps and a reserve division in the field on the North-West Frontier,² a small committee had been formed in the Quarter-Master General's Department, to discuss the preparation of a scheme for mobilisation.³ On the 22nd July 1886, the Secretary in the Military Department, in a memorandum reviewing the whole question of mobilisation, and dealing with all the points which would have to be considered, submitted that a small department committee was not a suitable agency for carrying out a great work of this kind. He advised that a general mobilisation committee should be constituted under

-
1. Dufferin to Cross, 27 Sept. 1886, Dufferin Papers (Microfilm), Reel 517.
 2. Foreign Deptt. Progs., Oct. 1886, Front. B., Cons. 39.
 3. Dufferin to Cross, 10 Oct. 1886, Dufferin Papers (Microfilm), Reel 517.

the orders of the Governor General in Council.² Lord Dufferin, giving the subject his earnest consideration, entirely approved the recommendations made, and in a Resolution of the Government of India, issued in August 1886, the following orders were passed :³

- (a) That the standards of organisation be adopted for service viz. army corps for service beyond the frontier, and divisions or brigades of all arms, according to circumstances, for service within the frontiers of India or beyond sea;
- (b) That the composition and strength of the army corps, and all arrangements for mobilising two army corps, be first worked out;
- (c) That for the above purposes a permanent General Mobilisation Committee be established, sub-Committee being appointed as might be decided by the Committee; and
- (d) That the General Mobilisation Committee be constituted (Twenty heads of different departments).

Sub-Committees were afterwards appointed to work and several portions of the scheme coming under the various heads of organisation, mobilisation, lines of communications, commissariat etc.

The Government of India in a despatch remarked that although the work accomplished by the Mobilisation Committee was of great practical value and importance, it could not be taken as final, and that it would be necessary year by year to consider, revise and supplement the regulations. To that end it was proposed that an officer of the Quarter-Master General's Department, at headquarters, should be permanently charged with the duty of looking after the whole business.¹

1. For Deptt Progs, Nov, 1886, Sec. F, Cons. 50 to 67.

2. For. Deptt. Progs, Feb. 1887, Intel B, Cons., 28 to 30 Also Military Despatch No. 151, dated 27 September 1886, from the Governor General of India to the Secretary of State.

3. Military Despatch No. 180, dated Oct, 10, 1887, from the Governor General of India to the Secretary of State.

In a despatch of 1888, the Secretary of State expressed concurrence in the view that an officer of the headquarter's staff should be the Secretary of the permanent Mobilisation Committee, but he, though the duty might appropriately be confined to the assistant adjutant-general for Royal Engineers authorised in connection with the re-organisation of commands and staff.¹

Lord Dufferin had often expressed his satisfaction over the achievements of the Mobilisation Committee. In a Minute² to the Secretary of State he had appreciated the work of the Mobilisation Committee and had expressed his 'warm admiration of the manner in which the Mobilisation Committee had conducted its arduous labours.'³ Lord Dufferin had hailed the results of the Committee's labour as 'a magnificent monument of industry and professional ability.'⁴ The Secretary of State himself had expressed his entire concurrence in Lord Dufferin's Minute and had asked that the Committee might be informed of his great satisfaction at the admirable work they had accomplished.⁵

Coastal defence was another important subject which engaged the attention of the Viceroy. The numerous questions which were referred to the Marine Department for opinion or decision necessarily varied in importance. For example a question relating to the introduction of a law for the maintenance of discipline in the service, the arming of vessels for the proper protection of the harbours; or the constitution of a department for the marine survey of Indian seas, engaged enough attention of the Military Department.⁶

-
1. Secret Despatch No. 117, dated 19 April 1888, from the Secretary of State to the Governor General of India.
 2. Minute of Lord Dufferin dated 5th Oct. 1887 sent to the Secretary of State with the Military Despatch No. 180, dated 6 Oct. 1888, from the Governor General of India to the Secretary of State.
 3. Ibid.
 4. Ibid.
 5. Cross to Dufferin, 26 Oct. 1887, Dufferin Papers (Microfilm), Reel 518.
 6. Military Despatch No. 128, dated 12 May 1887 from the Governor General of India to the Secretary of State.

By the statute 47 and 48 Vict., C. 38, powers were conferred on the Governor-General in Council to pass, for the Indian Marine Service, an act containing penal provisions similar to those of the Naval Discipline Act. A legislative enactment was framed accordingly and passed, and as Act XIV of 1887 (the Indian Marine Act) came into force on the 15th October, 1887. This important Act placed the Indian Marine on a legal basis. Previous to this, the service had no legal status, as it was not subject either to the Naval Discipline Act, 1866, or to the Merchant Shipping Act, 1854.

In March 1887, a scheme was submitted to the Secretary of State for officering and manning the turretship, and the gun and Torpedo boats which were being built for India. But as the cost of officering and manning them was found to be very great it was proposed that the crews should be provided for only half the number of vessels. This scheme provided for the officering and manning of the vessels independently of the Royal Navy, as the Admiralty stated that they would be unable to spare any officers and men of that service in the time of war.¹ The Government of India asked the Secretary of State to obtain from the Admiralty a few officers and warrant and petty officers to inform in the instructional staff.² But the matter remained for consideration of the Home Government for a long time. In consequence of the intended addition of Torpedo and gun-boats to the Indian Marine fleet, it was deemed advisable that a few officers of the marine should be instructed in gunnery and the use of the Torpedo. The Director of Marine was accordingly instructed to depute to England every year four officers for the purpose of attending the classes on board 'the Excellent' and 'Vernon'.³

-
1. Military Despatch No. 119, dated 12 May 1887 from the Governor General of India to the Secretary of State. Dufferin to Cross, 21 April 1887, Dufferin Papers, (Microfilm), Reel 518.
 2. Ibid; Also Dufferin to Cross, 8 May, 21 November 1887, Dufferin Papers (Microfilm), Reel 518.
 3. Dufferin to Cross, 13 Nov. 1887, Dufferin Papers (Microfilm), Reel 518.

In the army departments, various reforms had been effected in the Commissariat Department, transport of the army and in the arrangements for the supply of horses. The amalgamation of the supply and transport branches of the Commissariat Department and the appointment of a Commissary-General-in-Chief had been sanctioned by the Secretary of State and carried into effect.¹ The Commissaries-General-in-Circles in Bengal were now responsible to the Commissary-General-in-Chief, and those in Madras and Bombay to the Government of those Presidencies respectively, for the combined supply and transport within their administration. A Commissary-General for Transport, as adviser in that branch to the Commissary-General-in-Chief had also been appointed.² The organisation of the Department brought with it the following changes :

- (a) Chief Commissariat officers were placed in charge of ranges corresponding with military commands;
- (b) The association of generals commanding divisions and districts with the control of the Commissariat of the Command, the Commissariat officer being on the staff of the general;
- (c) Decentralization of work arising out of the powers extended to generals; and
- (d) The expansion of the Central account office system by the introduction of an account office for each Commissariat Command.³

An important proposal connected with the administration of the army was the recommendation to abolish the Presidential Army System. The question of the abolition of the Presidential Army had engaged the attention of the Army Organi-

-
1. Military Despatch No. 75, dated 25 March 1835, from the Secretary of State to the Governor General of India.
 2. Military Despatch No. 18 dated 20 Jan. 1837, from the Secretary of State to the Governor General of India.
 3. Military Despatch No. 120 dated 17 May 1838, from the Secretary of State to the Governor General of India.

sation Commission in 1879.¹ It was exhaustively considered by the Government of India in 1881 and, together with many other reforms, were recommended to the Secretary of State.² In August 1885, the Government of India had submitted proposals to the Home Government in this regard.³ The contents of the proposals were the abolition of the Presidential Organisation, under which the administration of the two of the three armies, maintained in India, were connected with the Local Government of Madras and Bombay.⁴ This organisation had been found unsuited to the changed conditions of the country, while the want of financial responsibility, and the lack of uniformity and unity of control, had rendered a change of system advisable.⁵ It was, therefore, proposed by the Government of India, following the recommendations of the Army Commission, to substitute for the Presidential Armies an organisation by which all the military forces in India, exclusive of local Corps under the Foreign Department, would be brought under the undivided control of the Commander-in-Chief in India, and, through him, of the Supreme Government.⁶ The army was further to be divided into four local armies, each complete in itself, both as regards staff and departments.⁷ Thus it was considered that the greater segregation provided for in the new system would increase secu-

-
1. Report of the Army Commission, paras. 41, 51 and 59.
 2. Government of India Military Despatch No 85, of 1881. Government of India, Military Despatch No 282 of 1881, and Government of India, Military Despatch No. 401 of 1881.
 3. Military Despatch No 135 dated 14 Aug. 1885, from the Governor General of India to the Secretary of State.
 4. *Ibid.*
 5. *Ibid.*
 6. *Ibid.* Also Dufferin to Randolph Churchill, 28 Aug., 4, 10 and 26 Oct. 1885, Dufferin to Kimberley, 19 April 1885, Dufferin Papers (Microfilm), Reel 517.
 7. The four armies thus formed were to be affiliated to the following territorial areas—Madras Army—Madras Presidency, Burma, Hyderabad, Mysore; Bombay Army—Bombay Presidency, Central Provinces, Rajputana, Central India Baluchistan; Hindustan Army—N.W.P. and Oudh, Bengal, Assam, Punjab Army—Punjab.

rity, and immunity from combined action, which the advocates of the presidential system and of the reformed plan equally desired to maintain.¹ The proposals were under consideration when Lord Dufferin left India.

Lord Dufferin took active interest in the defence of the North-West Frontier of India, particularly in the net-work of frontier railways and the fortifications. In June 1885, the Defence Committee submitted an important memorandum on the defence of the North-West Frontier dealing with communications and fortifications.² Earlier, the Secretary of State had already sanctioned several measures for works on the North-West Frontier,³ but the Defence Committee advocated certain expansions and modifications to the earlier scheme. As regards the railways, the recommendations were for the immediate construction in extension of the Pishin Railway, of a tunnel through the Amran Range; the conversion of the temporary Bolan line into a permanent one; the provision of additional crossing stations on the line between Jacobabad and Sibi; the Sind-Sagar Railway to be aligned to strike the Indus at Mianwali opposite Bannu; the extension of the Punjab Northern State Railway to Landi Kotal and subsequently upto Kabul. The Defence Committee recommended to new roads but drew attention to the importance of the road to Kashmir, which had been commenced, and recommended that it should be completed as a good cart-road without delay, and that it should be extended through Artor to Gilgit and Chitral, as a cart-road as far as practicable and beyond as a mule road.

The proposals of the Defence Committee for defences at Peshawar, Kohat, Bannu, Gomal, Pishin, Sakkar and Multan

-
1. Military Despatch No 135 dated 14 Aug. 1885 from the Governor General of India to the Secretary of State. Dufferin to Randolph Churchill, 30 April 1888, 18 May, Dufferin Papers (Microfilm), Reel 518.
 2. Dufferin to Kimberley, 3 Feb, 3, 10, 23 March 1885; Kimberley to Dufferin 20 March 1885. Dufferin Papers (Microfilm), Reel 516.
 3. Kimberley to Dufferin, 17 March 1885, Dufferin Papers (Microfilm), Reel 516.

were strongly recommended to the Secretary of State. The provision of a second class arsenal at Quetta and the supply of breach-loading ordnance were included in it. With regard to the fort at Landi-Kotal the Government of India had stated that they were not in a position to say if the project would be practicable; and as regards Bahawalpur they were not prepared to make any proposals for defences beyond the provision of block-houses to protect the bridge.

This scheme of defensive measures was practically sanctioned by the Secretary of State, as a whole.¹ The only points on which modifications were suggested or ordered were (a) the extension of the Kashmir road to Gilgit and Chitral, of the advantage of which he was doubtful; (b) the position of the entrenched camp which the Indian authorities had proposed to construct over Peshawar, but which was ordered to be at Campbellpore; (c) the reshaping of the arrangements connected with the Kohat Pass, a point which had not been considered by the Government of India. Lord Randolph Churchill considered that the defensive works of most pressing importance were those in the Pishin valley and at Sukkar and Multan.²

The Government of India took active measures to carry out the various work after the receipt of the sanction of the Secretary of State. The construction of the Sind-Sagar Railway with its branch to Mianwali and the Dera Ghazi Khan Pishin road were steadily prosecuted and completed.³ The requisite crossing stations were put in between Jacobabad and Sibbi. The necessary investigations regarding the conversions of the Bolan Railway into a permanent line, the location of a cross-line to connect the Rajputana and Indus-Valley system, the improvement of the steep gradients on the Punjab Northern State Railway between Jhelum and Rawalpindi, and the extension of the railway to Jamarud, had been initiated. Sir

1. Military Despatch No. 24 dated 27 Jan. 1887, from the Secretary of State to the Governor General of India.

2. Ibid.

3. For. Deptt. Pregs., Oct. 1885. Sec. F., Cons. 118-121,

Charles Mac-Gregor, the Quarter-Master General in India, with a suitable staff, was deputed to examine the defensive position in Pishin.¹

The Sind-Pishin Railway had been extended to the fort of the Khojak Pass,² and the permanent way for the extension of the line to Kandahar had been conveyed to Gulistan Junction.³ The strategic road from Dera Ismail Khan to Kushalgarh via Bannu and Kohat was completed. The strategic projects of the Sind-Sagar Railway from Lala Musa to Sher Shah with branches to the Indus at Mianwali and opposite Dera Ismail Khan, a section of the road to Kashmir lying within the British territory and Dera Ghazi-Pishin road, were completed.⁴

The problem of defence of position in front of Quetta led to a considerable modification of original proposals. Instead of an entrenched camp at Saiyad Hamid, it was decided to construct only a bridgehead at that position to cover the passage of the Lora and safeguard the railway bridge, and to withdraw the main defensive line nearer to Quetta, and to take advantage of the great barrier of the inaccessible Takatu range.⁵ The works, designed to bar the immediate approach to Quetta valley, consisted of a line of infantry redoubts and batteries extending across the Bostan Valley, from the extremity of the south-western of the Takatu range to the Mashalax range at a point about one mile south of the Ghaznabad Pass.⁶ To close the Ghaznabad Pass, a redoubt armed with field guns, had been constructed at its western mouth, and the hills bordering on the pass had been prepared for occupation and emplacements constructed for guns at suitable points. A

-
1. Dufferin to Kimberley, 25 June 1886, Dufferin Papers (Microfilm), Reel 517.
 2. For. Deptt. Progs., May 1885, Secret Ext. A., Cons. 439-441.
 3. For. Deptt. Progs., Oct. 1885, Sec. F., Cons. 121-125.
 4. Dufferin to Cross, 20 Nov. 1887, Dufferin Papers (Microfilm), Reel 518.
 5. For. Deptt. Progs., Oct. 1885, Sec. F., Cons. 125-127; Cross to Dufferin, 16 Decr. 1887, Dufferin Papers (Microfilm), Reel 518.
 6. Ibid.

gap which separated the extreme south-western spur of the Takatu Range from the main mass of the range, and known as the Murghi Pass, had been carefully prepared for defence by the construction of roads and gun-emplacements, and of a retired line consisting of a central redoubt with an infantry parapet extending on each side of it to the precipitous hills on the flanks.¹ The defences were especially arranged with a view to a counterstroke being made from this pass in the event of an attack on the main line. At Quetta itself the fort had been completely remodelled.² On the top of the old Mirri a strong redoubt had been constructed. The lower defences of the fort had been extended and the profile adapted to strategic requirements of defence.³

But the defence of the Empire from external attack did not need only strategic constructions and fortifications on the frontiers of the empire. Some important decisions on the interior defences of the Empire were also taken during the period. The provision of fortified posts and the construction of works to guard important bridges and important strategical points throughout the country, though secondary in importance to the protection of coast and the North-West Frontier, had not been lost sight of. At Lucknow, the plan of defence had been modified on further consideration. Instead of the right British infantry lines being constituted the fortified post, the railway station was taken as the centre of the defended area. Two strong redoubts known as Nos. I and II commanded the approaches to the railway station and cantonment from the direction of the city.⁴ The defences of the fort at Fatehgarh in the North-West Provinces, which contained the only gun carriage factory in the north of India, had been completely remodelled. The fortifications enclosing the arsenal at Ferozepur in the Punjab had been reconstructed so as to be capable of main-

1. Dufferin to Cross, 20 November 1887, Dufferin Papers (Microfilm), Reel 518; For Deptt. Progs., Oct. 1885, Front B., Cons. 11-13

2. For Deptt. Progs., Dec. 1888, Secret E., Cons. 19-21

3. Ibid

4. Ibid. Cross to Dufferin, 16 December 1887, Papers (Microfilm), Reel 518.

taining a defence against modern seize artillery, and a wet ditch had been added. The fort at Mhow in Central India had been much strengthened by the reconstruction of the four bastions.

Thus in defence affairs, the British Indian defence system had been improved and placed on a better footing. When he had taken office as Viceroy the ports and frontiers of India were practically defenceless, and in spite of many difficulties the great scheme of defence was initiated and carried on to a practical conclusion. The chief ports of India went into process of fortifications, and a large scheme of military railways had been carried out, which had added considerably to the security of the Empire. The schemes of volunteer reserves, amalgamation of Presidential Armies, mobilisation and an overall increase in the strength of the army were some other important achievements of the Viceroy. Some important changes and improvements in military administration were also made. The commands of the staff of the army were reorganised, and greater efficiency was secured by the more scientific division of the country into districts and by the amalgamation of the separate departments of the Adjutant General and Quarter Master General resulting into a considerable economy in the military expenditure.¹

1. Military Despatch No. 115 dated 17 May 1888, from the Secretary of State to the Governor General of India.

EPILOGUE

In the conduct of international relations, during the recent past, the British, alongwith other European Powers, were probably the forerunners in playing diplomatic games; and their exercise of utmost of diplomacy to preserve their global empire has contributed enough in the evolution of a code of conduct of international behaviour.

In the Persian Gulf region, it appears that about the beginning of the 18th Century a portion of the Joasmi Arab tribe had crossed over from Arabia, and took possession of Lingah, the head of the family being called Sheikh of Lingah. Originally, like the Sheikhs of Bushire, the Sheikhs of Lingah were practically independent, but by degrees they gradually came under the power of the Persian government, and finally acknowledged themselves Persian subjects, paying to the Governor-General of Fars such tribute as he could get out of them.

The arguments in support of the Persian claim to the islands were first seriously advanced in September 1894. The Sad-ul-Mulk governed Lingah along with Bundar Abbas and the other gulf ports on behalf of Sadr-e-Azam from June 1883 to March 1884 but never actually interfered in the affairs of the place, following the example of his predecessors in the Government of Fars and Bushire by leaving the Government of the port of Lingah to Sheikh Yusuf, who was then the recognized head of the Joasmi Arabs of the place. The Sadr-e-Azam had emphasised in his arguments that the Arab Sheikhs had always formed the Government revenues of the island from the Governors of Lingah; and one of these Sheikhs was Sheikh Yusuf, who had formed the revenues from Sad-ul-Mulk and had constructed a reservoir etc on the island. But according to the records available with the Arab chiefs, Sheikh Yusuf, who was by tribal usage the

Chief of Sirri, was also the Sheikh of Lingah and had formed the revenues of Lingah as Deputy Governor from Sad-ul-Mulk, but had not formed the revenues of Sirri, of which he appeared to have been Sheikh by tribal custom and not by the goodwill of Persian authorities. It appeared reasonable that as he was in the double capacity of Governor of Lingah and Sheikh of Sirri, he should not have separated the revenues, which he collected in the latter capacity from those that he obtained as the Deputy Governor of Lingah. Thus this did not warrant the claim of the Persians, who had left out the revenues of Lingah to the sovereignty of Sirri, which Sheikh Yusuf appeared to have held on a totally different tenure.

The two leading chiefs of Joasmi tribes were the Sheikhs of Ras-el-Khymah and Sharhah. The former had claimed that the island of Tamb belonged to the section of the tribe of which he was the head. The Persians had threatened to annex Tamb at the same time, they had taken Sirri, but could not do so. The Chief of Shargah had pointed out that the deceased Sheikh Khalifah of Lingah was his uncle and his own father Sheikh Khaled once governed Lingah as well as the Shargahi during Khalifa's minority. This showed that the two sections of the Joasmi tribe had always kept up an intimate connection. In fact Sheikhs of Lingah had come under the rule of Persia prior to the time of Sheikh Khalifa, but the islands continued to be the common property of the tribe and did not become Persian territory. To the British, the Joasmi chiefs, who belonged to the Arab Coast, happened to be under British protection and 'deserved' their support against the Persian Government. The British claimed the Persian occupation by putting the flag as 'distinctly a case of usurpation', and hence they considered it necessary to intervene in support of the claim of the Joasmi Sheikhs, who originally belonged to the Sheikhdoms on the Arabian Coast which were under British protection. Besides, the energetic action of the British, in the case of these islands, also earned for them a deep gratitude and appreciation of the Arab tribes of the Oman Coast, who could not have been

very much pleased in the occupation of the Sirri island by the Persians.

British diplomacy faced a tough challenge in Asia to defend the British Empire in India, and the Russian expansion from the North-West frontier posed the greatest challenge. The British Government understood that Russia desired to be friendly and that a temporary understanding, if not a final agreement, may be possible. To the British it was evident that the Russians had designs upon Herat, which they may pursue at a convenient opportunity. As Ambassador to St. Petersburg, Lord Dufferin had thoroughly understood the complexities of the Russian Central Asian policy. He was not in favour of a war between the two Great Powers over the Central Asian affairs, due of the uncertainty of a favourable outcome, and a possible Russian expansion right up to the Indo-Afghan border, which might pose a direct threat to the security of British India. Thus, Lord Dufferin believed that before any positive interference, an interview with the ruler of Afghanistan was necessary to apprise him of the situation, to judge his attitude and to determine the extent of his dependability.

Thus while the negotiations were going on between St. Petersburg and London, Lord Dufferin invited Amir Abdur Rahman, the ruler of Afghanistan; but the unfortunate Panjdeh crisis occurred at the time Amir was in Rawalpindi at the invitation of Lord Dufferin. But the responsibility of the crisis may not be left on the Afghans alone. It has been alleged that Afghan's failure, to defend the oasis, was due to the reluctance of the British to come to their help, and thus it had exposed the failure of British diplomacy and foresightedness. The Liberal Ministry in England did not expect a sudden advance by the Russians, when the arrangements to settle the issue were progressing. Gladstone himself was too preoccupied with internal crisis to save his government. In fact the lack of intelligence and judgement, on the part of the British Government, led the Afghans to defend along, and the nearby camped British contingent could not go to their help.

The British could not collect necessary intelligence of Russian decision to attack Panjdeh and the failure to defend their 'ally'.

The British Officers, posted nearby, had no instructions to act in the event of a sudden attack. By the time, they consulted their officers, the Russians were already in position in Panjdeh. Then the British Government concentrated on the issue in an academic manner and finally decided to give up Panjdeh. Sir Peter Lumsden had himself indicated in a letter to the editor of the Times, that "however much the wretched business at Kushk is to be deplored, the responsibility of it rested not with the British officers of the mission...but with those responsible for the position in which they were placed".¹ Even Durand, the Foreign Secretary of the British Indian Government, had admitted that the Afghans had every right to feel betrayed.²

At the Rawalpindi Durbar, the top-seeded statesmanship of Lord Dufferin should be credited for having handled the Amir carefully. It was only his diplomatic and careful handling of the Amir that a decisive war with Russia was avoided, for, had Amir Abdur Rahman insisted on recovering Panjdeh, Britain was committed to his support. Moreover, Lord Dufferin persuaded the Amir to accept the frontier demanded by Russia, even though this had compelled him to abandon some of his de jure territorial claims. Lord Dufferin continued to maintain cordial personal relations with the Amir. Lord Dufferin believed that a permanent settlement with the Russians was of advantage to the British if the Russians were convinced, that any violation of a defined boundary may lead to war. Although the frontier negotiations had made slow progress, yet an agreement with Russia was finally signed in July 1887.

While the above developments on the North-Western Frontier were taxing the utmost of British diplomacy, a problem cropped up on the east of the British Indian Empire on which Lord Dufferin was called upon to take decisive steps. Sir Charles Bernard, the Chief Commissioner of Burma was

-
1. Letter dated Ashes-park, Oct. 9, 1888 to the Editor of the Times of 11 October, 1888.
 2. For. Deptt. Progs., June 1885, Secret F., Cons. 518, K.W. 2: Kimberley to Dufferin, 28 May 1885, Dufferin Papers (Microfilm). Reel 516.

encouraging the British Indian Government for intervention in the troubled state of affairs in Upper Burma. Lord Dufferin calculated that France and China were preoccupied elsewhere and King Thibaw was totally incapable of firm resistance. For the troubles in Upper Burma, the conservative Members of Parliament in England were inclined to demand explanations from the French and not from the Burmese King. But the Liberals favoured annexation, if that could exclude the French, whose policy seemed to them 'to be governed by an aggressive and unquiet spirit'. However, Lord Dufferin, after full confidence of British success decided for intervention in Upper Burma, and a Kingdom, larger in size than Britain, was conquered with a loss of over twenty men. After a successful military expedition, Lord Dufferin pleaded for 'annexation' of territory, and the Liberals, who had again come to power, agreed to Lord Dufferin's proposal as the only alternative. Although Gladstone felt uneasy, yet the majority in the Government and Parliament warmly supported Lord Dufferin; and the British annexed Upper Burma 'with great reluctance'.¹ To Lord Dufferin, it was definitely a masterstroke of his well calculated approach, the most important achievement of his Indian Viceroyalty and the peak of his Indian career. This satisfied not only the 'imperialist minded British faction' in British Parliament but also the Liberals who had sometimes 'aspired' for it.

The British annexation of Upper Burma had 'necessarily brought the Indian Government into closer contiguity with China.' The neighbouring countries in Asia could have expected that the British operations in Upper Burma might create complexities in the relations of their Governments with the British. The neighbouring Governments had every reason to get scared and to wait for the next move of the British Government in the interest of their own security. At this stage the British were negotiating with the Chinese for arranging for the passports for a Commercial mission to Lhasa. The

1. Dufferin to Lady Russell, 23 July 1887, Dufferin Papers (Microfilm) Reel 526.

top-seeded diplomat Lord Dufferin was not in favour of sending any such mission to Tibet at this stage, just during the annexation of Upper Burma. The British Government was much enthusiastic and had given Coleman Macaulay, Finance Secretary to the Government of Bengal, a free hand in recommending the possibilities. Lord Dufferin had often felt much compromised and he did not approve the proceedings of the mission for any diplomatic gain for the British Government. But since the project had been enforced upon him from the British Government, he was only helpless to prevent Macaulay in his proceedings. He had almost been pointing out the difficulties to the British Government and as soon as he got the diplomatic bargain from the Chinese on their recognition of British proceedings in Upper Burma, if the Lhasa Mission was not pressed, he readily entertained it and felt much relieved. Lord Dufferin was aware of the fact that only he will have to face the consequences, whatever, with the Tibetans and the Chinese. Being a top-seeded diplomat, Lord Dufferin was very cautious in the conduct of foreign relations. He was a matured diplomat and he never took decision in hurry.

The British Indian Affairs during the administration of Lord Dufferin witnessed the Military Department its better organisation, and steps to strengthen the defences on north-western, western and coastal fronts. The project of reorganising the superior military command in the Indian Army was set forward effectively. The Viceroy had strongly pressed the Home Government for the abolition of what was known as the Presidential System. But it was not until sometime after Lord Dufferin's departure from India that his scheme for the abolition of the Presidency Commands was finally approved and the Indian forces were distributed into four army corps directly under the Commander-in-Chief. The Commands of the staff of the army were reorganised. Hardly less important, than the formation of reserves, was the change in organisation which took place by the linking of battalions of native infantry and the formation of regimental centres. The plan for substituting regiments composed of two or more linked battalions for single battalion regiments was one which was brought

forward as part of general scheme for strengthening the native army, and thus rendering it more capable of undertaking service beyond the frontiers of India. Lord Dufferin had found ports and frontiers of India practically defenceless. A big scheme of defence, inspite of many difficulties was initiated and carried on to a practical conclusion.¹ The Chief ports of India went into a process of fortifications and a large scheme of military railways had been carried out which had added considerably to the security of the Empire. Besides, many other changes had taken place within the Army, i.e. the fighting material had been increased the plans for mobilisation worked out and while he left India the defences of the Indian sub-continent were rapidly approaching a satisfactory conclusion.

However, in regard to the civil administration of the country, Lord Dufferin had little to his credit, although conditions in India of the latter half of the nineteenth century provided enough opportunity for the British to justify the imperialist 'claim' that India was being governed as a trust in the interest of her people and not solely as a means of advancing British interests! Most of the administrative measures initiated or pursued were more of routine character, and were necessity for the administration itself.

1. Dufferin to Cross, 18 May 1888, Dufferin Papers (Microfilm), Reel 518.

SECRET PAPERS

BRITISH FOREIGN OFFICE

- 1. Russia—Afghan Boundary**
- 2. China—Tibet**

U. S. CENT. LIB.

Foreign Deptt. Progs.

SECRET, F.

Oct. 1886, No. 927

'Confidential'

No. 58.

Dated Kham-i-ab, 1st August 1886.

From—Colonel Sir West Ridgeway, K.C.S.I., Her British Majesty's Commissioner for the Delimitation of the Afghan Frontier.

To—Earl of ROSEBURY, Principal Secretary of State for Foreign Affairs, London.

I have the honor to transmit, for your Lordship's information, the papers marginally noted, which, together with my previous despatches, contain all the information and evidence which has been collected regarding the Afghan claim to the district of Khoja Saleh.

1. From Mr. W. Merk, dated 4th July 1886.
2. From Mr. W. Merk dated 23rd July 1886.
3. To Colonel Kuhlberg, dated 1st August.
4. Descriptive memo. of wells, &c.
5. Sketch of Ziarat Khoja Salar by Major Durand.
6. Note on the origin of the name Khoja Salar.

This district takes its name from the shrine or ziarat of one Khoja Saleh. It is impossible to ascertain when this holy man lived; there are no traditions extant regarding him. In annexure No. 6 of this despatch, Your Lordship will find a memorandum by Mirza Hassan Ali Khan on the origin of the name, and its corruption into Khoja Salar. The District of Khoja Salar comprises the strip of cultivation on the left bank of the Oxus from the Bokhara village of Bosagha to Dagharasi, a village, 3 miles above Kilif. From Bosagha to Akjui, $4\frac{1}{2}$ miles below Kilikf, the cultivation is continuous and varies from a few hundred yards to $1\frac{1}{2}$ miles in width.

Between Akjui and Dagharasi there is no cultivation or habitation, excepting a few huts at Kilif, where the employees of the ferry live. The district is divided into four sub-divisions, namely, (1) Kham-i-ab; (2) Dali (which includes Islam); (3) Karkin, commonly called Khoja Saleh; and (4) Akjui (which includes Dagharasi).

¹The population and revenue of each sub-division are given in the margin. The population is Ersari, except in the Karkin or Khoja Saleh sub-division, which is entirely inhabited by Karkins, a tribe of Turkish origin. The Karkins do not give their daughters in marriage to the Ersaris; and consequently there is a marked distinction between the two people. The district of Khoja Saleh has been for 37 years in Afghan possession. It has always been part of Akcha, and has followed its fortunes; being Bokharian when Akcha was Bokharian and Afghan when Akcha was Afghan. The four sub-division have never been separated and, at least since the Afghan occupation, they have formed a fiscal and administrative unit, under a Deputy Governor appointed by the Governor of Turkistan. The system of administration is described in Mr. Merk's report. The Deputy Governor of Khoja Saleh has sometimes been an Afghan, and sometimes, as at present, a Turcoman. These officials generally, if not always, resided in the Karkin sub-division, which is the largest, and which, from its containing the shrine or ziarat of Khoja Saleh, is known as Khoja Saleh proper, just in the same way as there is a Kerki in the (Bokhara) district of Kerki, and a Kilif in the (Bokhara) district of Kilif. The Deputy Governor used to reside in their own private houses, or if they were not inhabitants of Khoja Saleh, in hired houses. The present Governor, Tahir Muhammad Khan, however, lives in an official residence which was built by his predecessor Safdar Ali Khan, in 1874.

¹Kham-i-ab 590 families £316 land-revenue

Dali	400	"	107	"
Karkin	1,560	"	965	"
Akjui	193	"	80	"

Annexure No. 1

Besides miscellaneous taxes

There has been since 1856 a Turcoman militia belonging to the district. This forms part of the general turcoman levies of the Akcha province, for it should be remembered (in view of the ethnographical argument which the Russian Government is likely to raise) that there are many Turcoman (Ersari) subject of the Amir in Akcha, Shiberghan and other districts of Afghan Turkistan. The duties of the Khoja Saleh militia are police duties and the watch and ward of the frontier the latter is specially the duty of the Kham-i-ab detachment of the militia; for, I should explain, each sub-division has its own detachment of militia. The men live in their own houses, not in barracks, and turn out when required. They are paid by the Afghan Government which appoints the officers. Some of them are told off for orderly duty with the Deputy Governor, but even these men live, as a rule, in their own homes; the only exception being in the case of the present Deputy Governor who, being a Saltyk Turcoman and inhabitant of Akcha, brought four Saltyk orderlies with him. These men, having no houses of their own in the Khoja Saleh district, live with the Deputy Governor in his official residence known as the Robat of Tahir Muhammad Khan.

The only ferry in the district is that at Kilif. There is also a ferry at Ak-kum, 2 or 3 miles below Kham-i-ab, but that is in Bokhara territory and on the road from Maimana to Bokhara. There used, however, to be a ferry at Islam which plied to the opposite bank of the river at Charshanga, and which was known as the Khoja Saleh ferry. Islam is in the Dali, and therefore outside the Karkinor Khoja Saleh sub-division. The ferry was apparently instituted about eighty years ago, and was used by caravans proceeding from Bokhara to Andkhui in the same way as the Ak-kum ferry was used by caravans proceeding from Bokhara to Mainana. Occasionally, indeed often, when the Kilif ferry was closed by Usbeg robbers, the caravans for Balkh used to travel by the Khoja Saleh ferry, although it necessitated a longer journey through the waterless Chul. During the rule of Naib Alam Khan (1869-1874), when the country became more settled the Kilif ferry was improved, and traffic returned to the regular and ancient high road through Kilif. The Khoja Saleh ferry was then practically

closed for general traffic, but a boat was detached from Kilif during winter (when owing to the closing of the passes over Hindu-Kush, there was little traffic between Afghanistan and Bokhara) for the convenience and local use of the inhabitants on the opposite bank. This practice was discontinued about 1876. It is difficult to fix the exact date when the Khoja Saleh ferry was closed for general traffic, but probably this was about 1871 though the bulk of the witnesses named 1868.

The only traces of high roads are thus described by Mr. Merk in his report of the local enquiry made by him and Captain Kontradenko:—of the five road leading from the direction of the Chul to the Oxus through the cultivation of Karkin and Islam which we examined, for roads are plainly in constant use at present and are evidently lanes giving access for the cattle of the townships to reach the river meadows through the walled fields and irrigation cuts; whereas the fifth road which was stated by the witnesses to be the old caravan route, is a wide and well marked road which bore the traces of having fallen out of use for years, as we saw ourselves. It was clearly a road used for some special purpose which now has ceased to exist, i. e., it was the old caravan road from the ferry to Balkh. The route struck straight into the Chul, via the Kar Kin¹ well (marked on our map) to Balkh and did not go to Karkin Bazar or to Kilif through the cultivation an intricate and difficult piece of country which caravans would seek to avoid. This route leaves Robat Tahir Muhammad Khan some miles to the east.

I have, however, instructed Captain Peacocke to the issue to be decided, which have been collected by the Joint Commissioner. I shall point out to Your Lordship which of them are disputed by the Russian Commissioner when I come to deal with his claim.

None of these facts stated above were known to us when the Commission left India in 1884, but I have little doubt that the Russian Government was then fully aware of the main

¹Annexure No. 2
Ker Kui.

fact, namely that Khoja Saleh was a district and not a definite point. There is ample evidence that since 1873 Russian officers have frequently travelled along the opposite bank of the river, while in 1878 the Samarkand ascended the river as far as Islam. The maps published in 1881 show that the Russian Government were acquainted with the real frontier, and Colonel Kuhlberg's reply that the Russian maps merely borrowed from the English maps is manifestly incorrect; for, though the Russian maps of Persia, Baluchistan, (and Afgani-stan), 1881 and of Asiatic Russia 1883, show the frontier to be in nearly its true position near Dev Killa, it was not till 1885 that we learnt of the existence of that hill and of the true frontier. Your Lordship will observe that if Mons. De Giers proposal that the Boundary Commission should begin its labors at the Oxus, instead of at the Hari Rud, had been accepted the Commissioners would have at once been plunged into this difficult and trying discussion as to the whereabouts of Khoja Saleh.

The Khoja salar question was first raised at the meeting of the Commission held on the 27th November 1885 (Protocol No 3), by the Russian Commissioner, who claimed the ziarat or shrine of Khoja Salar as the post of Khoja Saleh. After some conversation it was agreed that the question should be considered in the light of the correspondence on which the agreement of 1872-73 was based, and further discussion was postponed till the Commission reached the Oxus. Meanwhile, the survey of the country between the Murghab and Oxus was divided between the British and Russian surveyors, and the section between Daulatabad and the Oxus fell to the former. Captain De Laessoe was also deputed by me during the winter to make inquiry in the Khoja Saleh district. Mons. Lessar and another Russian officer started with the same intention, but Mons. Lessar health gave way, and they were obliged to return. Consequently when the Joint Commission arrived at the Oxus in the end of May we had considerably the advantage of our colleagues as

regards information. I fully recognised this, and I arranged with the Afghan authorities that any officers deputed by Colonel Kuhlberg to collect information should be allowed every liberty, and I admitted to Colonel Kuhlberg that I could not expect him to reply to the Afghan case, until he had enjoyed every opportunity of making independent enquiry. But in the meantime I invited him to bear the Afghan evidence in support of their claim.

Colonel Kuhlberg, however, was of the opinion that no enquiry should be begun until his officers had surveyed the district in detail. I had no objection to the proposed survey, but I could not agree to postponing the enquiry until its completion, a period of six weeks at least. The district had been surveyed by British officers on the scale proposed by the Russian Commissioner himself, and their maps were quite sufficient for our purposes. We had accepted without question the maps prepared by Russian surveyors in accordance with the division of work made by the two Commissioners, and I naturally expected the same courtesy and confidence from the Russian Commissioner.

Colonel Kuhlberg at length gave way on this point, and the enquiry began, but its existence has been painfully fitful, and the manner in which it has been conducted has not been at all according to my wishes. I had hoped that the Commissioners would have travelled through the district making enquiry as they went, but Colonel Kuhlberg did not agree to this procedure. Indeed, I think that a great many of the difficulties we have experienced have been due to Colonel Kuhlberg's not having personally visited any point of the frontier between the Murghab and Dukchi, or any of the places in question in the Khoja Saleh district. He has consequently an entirely false impression regarding Islam, the Ziarat of Khoja Salar, the Robat of Tahir Muhammad Khan and other of these places.

At the meeting of the Commission held on the 2nd June it was decided to appoint a sub-commission for the purpose of taking the evidence of the witnesses collected at Kham-i-ab; and another sub-commission (captain Komaroff and Mr. Kerk) were sent to search for a post of Khoja Saleh on both

banks of the river. When all these enquiries were finished, and the Russian maps were completed, Colonel Kuhlberg declared that, as no point had been discovered, exactly answering to the description of the Khoja Saleh in the agreement of 1872-73, it would be necessary for him to send officers to search for the place between Kilif and Khushka Guzar, 25 miles above Kilif. Against this I protested, and I declined to associate a British officer in the enquiry, or in any way to admit the possibility of the post of Khoja Saleh being above Kilif. The enquiry was, however, made by Colonel Kuhlberg's officers, but they failed in any way to identify the Kushka Guzar ferry with the Khoja Saleh passage of the agreement. Had their information been more precise they would, I have reason to think, have discovered to the north (but not on the bank) of the river, the village of Khoja Saleh which was referred to by General Kauffman.

At last at a meeting of the Commission held on the 10th July, Colonel Kuhlberg formulated his claim. It was that the Robat or House of Tahir Muhammad Khan, the present Deputy Governor of the district, exactly represented the post of Khoja Saleh mentioned in the agreement of 1872-73. A long discursive and unprofitable discussion followed, and finally it was agreed that, I should state the arguments against the Russian Commissioners claim in writing, and that he should reply in the same way. Our memoranda of the 11th and 14th July (N.S.) are the result.

Your Lordship will observe, from protocols Nos. 13 and 14 that I was obliged to protest against the question being considered on evidence not recorded in the protocols, for the Russian Commissioner, when invited to indicate the evidence in support of his statements, would quote evidence which he said had been given before officers whom he had deputed independently of the Joint Commission. I claimed that the evidence should be produced before the joint Commission, recorded in its protocols, and if considered necessary, subjected to cross-examination, before it could be accepted.

I also repeatedly suggested to Colonel Kuhlberg that in dealing with the question, we should take into consideration the meaning and intention of the agreement as evidenced by its context and the connected correspondence, and that we should not be entirely guided by its exact and literal wording. This, however, Colonel Kuhlberg refused to do. He held that he had nothing to say to the spirit or intention of the agreement, but merely to its words. The agreement fixed the frontier at the post of Khoja Saleh, and therefore there must be a post of Khoja Saleh, and his duty was to find it. When I presented to the Russian Commissioner my memorandum of the 11th July, I again pressed my views, this time through Mons. Lessar, and urged that, as the representatives of two Great Powers, it was not fitting that we should discuss the question in the spirit of lawyers. Neither side could rely on the exact wording of the agreement, for evidently the use of the word post had been a mistake possibly a clerical mistake. I thought that the best plan would be for us to consider on what points we could agree. For instance, though according to the evidence the ferry at Islam had been abolished before the agreement of 1872-73 was concluded, yet it was in my opinion the ferry referred to in that agreement, and I was sure that Her Majesty's Government would avail themselves of no quibble in order to escape the consequences of their intention when they negotiated that treaty. Again, evidently there had been no post of Khoja Saleh, and its insertion in the agreement was a mistake. Could we not agree on these and, perhaps, on some other points and then draw up a statement of facts, such as the district being known as the Khoja Saleh district, the militia, &c. for the information of our Governments? I thought this would pave the way to an agreement, much better than if we plunged into a hair splitting controversy, and recorded a mass of contradictory evidence.

Mons. Lessar quite agreed as to the principle of my proposal, but not so Colonel Kuhlberg. He had nothing to say as to the meaning of the agreement. He would not presume to divine the intention of statesmen. His duty was to find the post of Khoja Saleh which existed in 1873 at a passage on

the high road from Balkh to Bokhara. He could not go behind the agreement, nor could he presume to suggest that a mistake had been made. In short, he insisted on our discussion the question according to the strict wording of the agreement without any regard to other considerations.

I was accordingly reluctantly obliged to take the same line in my memorandum of 11th July, where I think I have shown that according to the strict wording of the agreement, Colonel Kuhlberg has not established his claim. But even if the question were considered from a wider point of view, it is evident that the Robat of Tahir Muhammad Khan cannot be the post of Khoja Saleh referred to in the agreement of 1872-73; because (1) it is not, and never was, a post, either military or customs; (2) it is not called Khoja Saleh; (3) it is not at the passage of the river or on any road from Balkh to Bokhara; (4) it was not built till after the agreement of 1872-73.

Your Lordship will observe that the Russian Commissioner in his reply not only disputes facts which are placed beyond doubt by the evidence recorded, but, he entirely shifts his ground, and alleges that the ferry which he had proved to have existed between Islam and Charshanga, used sometimes to be moved up the river towards Kilif.

It was evident that the enquiry was becoming farcical, and that argument was not merely useless but mischievous, as it indicated to the Russian Commissioner the weak points in his case which he had not seen himself, and it enabled him to mask them by facts drawn from his imagination and entirely unsupported by any shadow of evidence.

I therefore decided to avoid all further discussion, and to close the enquiry as quickly as possible, leaving our Governments to decide the question according to the evidence before them, though this, I admit, is of a most meagre and unsatisfactory character. I accordingly contented myself with pointing out to Colonel Kuhlberg that there was no evidence to support the claims which he advanced, especially his theory of a vagrant ferry. He then quoted the reports (verbal apparently) of officers whom he had deputed to enquire independently of the officers appointed for that purpose by the Joint Commission. I replied that I could only judge the case by the evidence

recorded in our protocols, and that though I was ready to hear any evidence which he could produce. I could not take into consideration evidence not recorded before the Joint Commission nor recorded in its protocols. Colonel Kuhlberg replied that the witnesses were afraid to speak in the presence of an Afghan official; but I pointed out that evidence on which we relied was chiefly that of Bokharians, and that they could not possibly be intimidated by Afghan officials. At the same time I was quite willing that enquiry should be made without the presence of an Afghan official. It was finally decided to send, on the part of the Russian Commissioner, Captain Kontradenko and Mons. Mirzaeff, and on part, Mr. Merk and Kazi Muhammad Aslam Khan, to hear on the spot the evidence which the Russian officer (Captain Svetovidoff) had collected regarding the alleged moving of the ferry in the direction of Kilif, and the existence of a high road to the river near the ziarat.

The result of this enquiry is recorded in annexures Nos. 7 to 15 to Protocol No. 14. Your Lordship will observe that the Russian Commissioner entirely failed in his object, for Mons. Svetovidoff could not even name the men who had given the important evidence in question. Nevertheless, though Colonel Kuhlberg has not shown it to me, the new Russian map, I am told, shows a high road and ferry to be in existence in the neighbourhood of the Robat of Tahir Muhammad Khan. It is for this reason that I suggested to Your Lordship in my telegram No. 119 of the 24th July that you should not accept without question the new Russian map of the Khoja Salar district. The map of the Joint Commission is that compiled by our officers, and it has not in any way been shown to be inaccurate, though the Russian Commissioner has had every opportunity of testing it. The new Russian map has been entirely prepared by Russian officers behind our backs, and has not yet been shown to, or tested by, us.

Colonel Kuhlberg was not satisfied with the result of the enquiry by Captain Kontradenko and Mr. Merk, and another Sub-Commission, consisting of Captain Peacocke and Kazi Muhammad Aslam Khan, on my behalf, and Captain Kontradenko and Mons. Mirzaeff, on Colonel Kuhlberg's behalf

was appointed to make enquiries on the opposite bank of the river. The evidence collected by them is recorded in annexures Nos. 16 to 19 of Protocol No. 14. It shows that the ferry was permanently at Islam, though occasionally, in times of flood and while the usual landing place was damaged it was, like all ferries moved temporarily a short distance up and down the river. The enquiry would probably have been still more conclusive, had not the Russian officer decided to close it, the usual procedure when the evidence seemed likely to damage the Russian case. Captain Peacocke, however, continued his enquiry alone, and he ascertained, among other facts that the huts of the employees of the ferry used to be in Islam until, 1879, when nearly the whole of the Islam tract was washed away by floods. Since the Joint Commission has been on the Oxus the river has still further encroached, and in another year the whole of Islam will probably have disappeared.

I understand that Colonel Kuhlberg now agrees to closing the enquiry, but no doubt other means will be found for delaying the submission of our proceedings to our Governments. What the motive of the Russian Commissioner for delay may be, I cannot say; but every pretext is resorted to with that end. I have had the greatest difficulty, not only in instituting and keeping up the enquiry, but in inducing the Russian Commissioner to carry out its elementary details. For instance, a deposition is taken before a British and Russian officer; both agree as to the accuracy of the record, but the Russian representative refuses to sign it for no reason, unless it be that the evidence, though admitted to be unobjectionable, does not strengthen the Russian case. Then follow references to the Commissioners, and finally, after considerable delay, the deposition is signed. Again, days after the original deposition have been compared and signed, the Russian copy is found to contain some words not contained in our copy, or frivolous objections are raised as to the exact agreement of the translations of the evidence, which, being taken in Persian, has to be translated into English by us, and into Russian by the Russian interpreter (Mons. Mirzaeff). A great many of our difficulties are, I believe, due to the fact that there is no

Russian Officer who knows Persian, and who can check the translations of that official.

Lastly, when all these difficulties have been overcome the protocols have to be signed. This gives an opportunity for much procrastination, and even when all the many little hindrances have been removed, and the draft has been agreed to and copied, it is no easy matter to obtain the signature of the Russian Commissioner. Thus, the protocols of our meetings of the 10th and 17th July (N.S.) referred to in this despatch are unsigned, though they have been for some weeks in the hands of the Russian Commissioner.

There can be no doubt but that the Russian Commissioner wishes to delay the settlement of the question, and to detain the Commission here during the winter. He continually harps on the impossibility of our finishing the work before winter and certainly he has done his best to make it impossible. In this, Colonel Kuhlberg must be acting according to orders from S. Petersburg. It is possible that the Russian Government anticipates that in course of time there must be an explosion in Afghanistan, and consequently a collision between the British Commission and the Afghans. The demarcation would then fall through; our Afghan alliance would be at an end, and Russia would gain her end without any apparent responsibility for the break down of demarcation. If, for instance, the Amir should die, or there should be a rising against him in Turkistan or elsewhere, the contingency anticipated by the Russian might probably arise. Meantime Colonel Kuhlberg imitates, as far as his means and ability will allow, Colonel Alikhaniff's tactics at Panjdeh. Intrigues with the Afghans, excitation of the Turcomans, rumours of the advance of Russian troops, and the prevention of intercourse between Khamiab and Bosagha: all these tactics employed with so much effect at Panjdeh have been tried here. There is only now required an advance of Russian troops to Kham-i-ab, and the repetition of that humiliating history will be complete. Such an advance is at present most unlikely, but it is not considered so by Turcomans and Afghans, and indeed should the relations between the two Governments become strained,

it would be easy to allege that, owing to Afghan oppression, an outbreak among the Turcomans is imminent, or some other excuse for so extreme a step as the advance of Russian troops might be invented. As a specimen of the recklessness with which the Russians advance, assertions which will strengthen their case, I refer your Lordship to the statement in Colonel Kuhlberg's memorandum of the 14th July (N.S.), in which it is stated that two months before the commission arrived at Kham-i-ab, the Afghans established a Military post there. This is entirely without foundation, as I have shown in my letter of the 1st August to Colonel Kuhlberg's address. Your Lordship will remember that a similar reason was given as a justification of the Russian advance towards Panjdeh in 1885.

There is another very evident fact. It is apparently the wish and intention of the Russian Commissioner that this Khoja Saleh case should become a burning question, but this wish may not be shared by the Russian Government, for it is clear that Colonel Kuhlberg has lately grown more and more to reflect the spirit of the Military party at St. Petersburg. I have always ridiculed the possibility of a serious misunderstanding between two Great Empires regarding this strip of land, but Colonel Kuhlberg does not share my opinion, and has more than once gravely suggested the possibility of its leading to war. Arbitration seems to be a very unpalatable suggestion; and if it had not been for its Kuhlberg to have a real enquiry undertaken and its results recorded in the protocols of the Commission.

I now proceed to submit my views regarding the Afghan claim, and the manner in which it might be settled.

The Russian Commissioner admits that the district of Khamiab has been in the peaceable and effective possession of Afghanistan for the last thirty-six years, and we agree that there was a ferry between Islam and Charshanga known as the Khoja Saleh ferry. Colonel Kuhlberg also admits the existence of the militia in Kham-i-ab and the other sub-divisions

of the district, and we agree that the Karkin sub-division was also known as the Khoja Saleh sub-district; but Colonel Kuhlberg does not agree with me that the whole district, including the four sub-divisions of Kham-i-ab, Dali, Karkin and Akjui, were known as the Khoja Saleh district. Nor does he admit that there is no post of Khoja Saleh answering to the description given in the agreement of 1872-73.

The following appear to be the issues to be decided by Her Majesty's Government :—

1. Whether the use of the word post in the agreement of 1872-73 was accidental, and if so, whether it was not the intention of the negotiating powers to leave to Afghanistan the ferry of Khoja Saleh and all posts, points, villages or places known as Khoja Salar in its neighbourhood.

2. If the use of the word post was intentional, have the Commissioners discovered any place answering to the description ?

3. If the use of the word post was accidental, what is the ferry or passage, and what are the places known as Khoja Saleh, which ought to be awarded to Afghanistan in accordance with the agreement.

As regards (1) it seems beyond doubt that the use of the word post was accidental. The first mention of a post was in Lord Granville's despatch No. 197 dated 17th October 1872 but, on the other hand, Prince Gortchakoff in his reply accepting the proposed settlement termed it a point and in this despatch was enclosed a memorandum by General Kauffman, which defined it as the point where both banks of the Oxus ceased to be Bokharian. In Sir Henry Rawlinson's memorandum of December 1871, it is termed a village. It seems to me impossible to dissociate the words from the intention of the agreement (especially when the former are shown to be inaccurate and misleading), and if we consider the intention of the agreement, I think it must be admitted that the effect is to leave to Afghanistan all places known as Khoja Saleh in the neighbourhood of the ferry of that name.

As to (2), it has yet to be decided whether by 'post' was meant a military or customs post. No trace of a customs

post has been found, while the militia in each of the subdivisions of the district hardly resemble a military post. The militia have never occupied any barracks or separate building. They have always lived in their own houses which are scattered about the sub-divisions. If these militia constitute a post, then the post referred to in the agreement was probably the militia in Khamiab who used periodically to patrol the frontier. As the object of the agreement was to leave to Afghanistan all the territory in her possession at the time, the word post, if it meant a military post must have referred to the frontier post of Khoja Saleh and not to a post in the middle of the district.

Your Lordship will observe that Colonel Kuhlberg claims the Robat of Tahir Muhammad Khan as the post. This claim I have shown in my memorandum of 11th July to be quite untenable. The house in question was not built till after the agreement. For this we have the evidence of the Deputy Governor Safdar Ali Khan, a man of position and integrity, who says that he built the house four or five months after he demarcated the frontier between Kham-i-ab and Bosagha. The deed of demarcation shows that the frontier was demarcated in 1874. Safdar Ali Khan whose evidence on all points is supported by the witnesses generally, further deposed that there was no building on the site where he built the house, and that former Governors lived in their private house wherever they might be, and that no Governors until the present Governor, ever had any post or detachment of militia living on his own premises, but that he sent for the men when their services were required. The present Governor, Tahir Muhammad Khan, who succeeded in 1880 is a Saltyk Turcoman, a resident of Akcha, and he brought with him four Saltyk servants who lived with him in the Robat or official residence built by his predecessor. This is what Colonel Kuhlberg claims to be the post referred to in the agreement of 1872-73. The whole of his theory, namely, that the Governors of Khoja Saleh had an official residence occupied by an armed

force, and that this was the post referred to in the agreement of 1872-73, falls to the ground by the light of the evidence. There is not a jot or tittle of trustworthy proof to support it.

Colonel Kuhlberg's first contention was that the ziarat or shrine of Khoja Salar was the post in question, but he subsequently abandoned this in favour of the Robat of Tahir Mohammad Khan. Subsequently, however, the Russian Commissioner asked me to send back his memorandum, in order that he might strike out certain expression the tone of which struck him on reflection as unnecessary. I, of course, complied, and Colonel Kuhlberg made the alterations he had proposed; but I see that by way of having two strings to the bow, he has also introduced a saving clause regarding the abandoned ziarat. Under no condition could this so-called shrine be considered a post. It is merely a heap of stones and earth. It is not on or near any ferry, or indeed on the bank of the river, but several miles inland. I enclose a sketch of the place for your Lordships in formation.

I think your Lordship will probably agree with me that there is no place which can be called a post, and that, when Her Majesty Government decided.

Khoja Saleh being represented on the Russian map to be itself the western limit on the Oxus Afghan Turkistan that, provided Khoja Saleh which is at the passage of the Oxus on the high road from Balkh to Bokara, is admitted to be Afghan territory. Her Majestys Government would not object to a definition of the frontier by which the rights of Bokhara should be determined to commence at a point upon the left bank of the Oxus immediately below that place, the intention was to leave to Afghanistan the passage or ferry of Khoja Saleh and any places called Khoja Saleh in its neighbourhood. Regarding the right of Afghanistan to the passage or ferry of Khoja Saleh, there can be no question. The quotation above proves that the understanding of 1872-73 left the ferry within the Afghan frontier.

What then were the places called Khoja Saleh in the neighbourhood of the Islam or Khoja Saleh ferry which it was intended to leave to Afghanistan? Evidently, either the whole district called Khoja Saleh, or its sub-division of

Karkin commonly known as Khoja Saleh proper. The Russian Commissioner disputes the fact that the whole district (including Kham-i-ab) was known as Khoja Saleh; but the revenue records and official evidence prove that this was the case, and that the four sub-divisions have always been united under one Governor. Again Islam is outside the Karkin or Khoja Saleh sub-division, and yet it was known as the Khoja Saleh ferry, because as the Bokhara witnesses deposed, the land above and below it was called Khoja Saleh. Accordingly, if the frontier is drawn so as to leave the site of this ferry to Afghanistan, more than the Khoja Saleh sub-division must be given to Afghanistan.

It is not possible for me to give a positive opinion as to whether the agreement of 1873 intended to leave to Afghanistan the whole Khoja Saleh district or merely its sub-division of Karkin.

I think it is beyond doubt that, under the terms of the agreement of 1872-73, the Afghans are entitled to the Karkin or Khoja Saleh sub-division, and also to Islam. But I am not equally satisfied about Kham-i-ab and the rest of Dali.

Morally, and in equity, no doubt, the Afghan claim it valid, but I greatly doubt whether Her Majestys Government can take their stand on the agreement of 1872-73, without straining its seeming intention. It might indeed be urged that the avowed intention of the understanding of 1872-73 was to leave to Afghanistan all the lands then in her possession; but Russia can plainly reply that she would not have accepted the status quo as the basis of the agreement, had she known that Afghanistan possessed on the left bank of the Oxus an isolated district adjoining Bokhara territory, and inhabited almost exclusively by a section of Ersari Turcomans, closely allied to, and intermixed with, the Ersari inhabitants, of the adjoining Bokhara districts. Indeed, the correspondence shows that Russia believed the Turcoman districts to be excluded by the agreement from Afghanistan. Again, it may be urged that Kham-i-ab and Dali have always been part of Akcha, and that, according to the agreement of 1873, Akcha belongs fully to Afghanistan, but the Russian Government will reply

that the agreement specially referred to the internal province of Akcha.

Holding these views, I may perhaps be allowed to express my entire concurrence with the opinion expressed by Sir R. Morier in his despatch No. 174, Secret, of the 18th May, to your Lordship's address, as to the desirability of dealing with the question, not as a matter of right on which we are entitled to insist, but as a question for mutual accommodation.

Your Lordship is aware that, at one time, I hoped to be able to effect a compromise. In carrying out the settlement in the London protocol of the 10th September 1885, the Shariks have been deprived of some lands in the Kushk and Kashan valleys, and also of the heads of some canals in the Murghab Valley. The latter are particularly necessary for much of the Panjdeh cultivation, and I hoped that Colonel Kuhlberg would abandon his claim to Kham-i-ab in exchange for them.

Colonel Kuhlberg was at one time favourably disposed towards the compromise, but when he arrived on the Oxus and saw the richness of the Kham-i-ab village and perhaps their suitability for a Russian cantonment he declared that the compensation was insufficient. Shortly afterwards he received instructions from his Government not to compromise the claim, nor indeed to give away an inch. Colonel Kuhlberg privately told me that the relations between the two Governments were strained, and this view seemed to be adopted by the officers of the Russian Commission generally who are one and all very bitter regarding the Belgarian policy of Her Majestys Government, and make no secret of their desire to inflict a humiliation on England, and this they consider the severance of Kham-i-ab from Afghanistan would undoubtedly be in the eyes of Afghans, Bokharians and Turcomans. But even if the attitude of the Russian Commissioner had been more conciliatory and reasonable, a compromise would have been out of the question, for the Amir, though pressed by the Viceroy of India, has definitely refused to make any further concession.

It has accordingly been necessary to refer the question to the two Cabinets for decision; but there still remains the difficulty that it will be impossible for this commission to give

effect to any compromise arranged by Her Majesty's Government in the face of the Amirs opposition. The Amirs natural arrogance is much inflated by seeing himself the object of so much concern and solitude to two Great Empires, and he doubtless believes that so long as he has the British Commission in his power, he can dictate his terms, or at least accept none which are not entirely acceptable to him. His Highness is no doubts convinced that the Russians will not occupy Kham-i-ab so long as we are here; and that, if they do so, England will be obliged to fight for his interests.

The Amir is shrewd and astute, and he very possibly thinks that the war which he believes to be inevitable can be more successfully waged now than when Russian preparations are complete. Your Lordship may remember how at Meruckak last year the Afghans refused to accept the decision of the Commissioners and how the reference to the Amir, justified by the wish of the Russians to build a dam across the river, enabled me to gain time for the Viceroy to bring influence to bear on the Amir, and prevented the Russians from taking advantage of the misunderstanding and insisting as they were entitled to do on immediate effect being given to the decision of the Joint Commission. The whole of this story has been recently narrated by Kazi Saad-ud-din Khan to the Russian Commissioner who doubtless regrets the last opportunity. Indeed, I am persuaded that the Russians hope to oblige us to demarate a frontier which the Afghans will not accept, and thus to bring about a collision between us and them. I have reported to Your Lordship by telegraph how Colonel Kuhlberg impress on the Amir representative that the English gave away Kham-i-ab, though it rightfully belonged to Afghanistan, and how gladly the Russians would leave it in the Amirs possession, if it were not for the English.

For the above reasons, I have recommended the withdrawal of the Commission before any settlement is announced. The Russian Government would probably object to this withdrawal on the ostensible ground that many details will remain which must be carried out on the spot. In anticipation of this objection I have proposed that two alternative frontiers be

Murghab, for though the Russian Commissioner contends that he is obliged to guard Bakhara interests by claiming from her lands which she gave up and does not desire, yet he is quite willing to abandon that claim if Russia (not Bokhara) gains lands elsewhere.

I have referred above to the lands which the Sariks have lost in the Kushk and Kashan. The Russian officers harp greatly on these losses. They say that the Sariks are destitute in consequence of this unjust settlement and that Russia has been humiliated.

Your Lordship will remember that, under the terms of Protocol No. 4, it was arranged that the Afghans should construct no new canals between Chihil Dukhter and Kara Tapa Khurd on the Kushk, and Tarshekh and Robat-i-Kashan on the Kashan. It was in these strips that the Sariks possessed scattered plots of cultivation. British and Russian Surveyors were accordingly deputed to map minutely the modern and ancient system of canals in these tracts, and as the Russians had already begun to clamour regarding the great losses which the Sariks had sustained, I caused a clause to be inserted in the instructions, whereby all former and present cultivation was also to be mapped. This was done with great care, and the maps signed by both British and Russian Surveyors have been accepted by the Commissioners. They show that during the last few years the Sariks have only cultivated in the Kushk strip 1.98 square miles and in the Kashan strip 0.71 square miles. Thirty years ago there was in these valleys respectively 5.15 and 3.02 square miles of cultivation, but this was salare and not Sarik cultivation the Sariks had not then migrated to Panjdeh.

The Russian Commissioner has quite overlooked and forgotten these maps, and I have thought it better not to undeceive him until the moment for offering a compromise has arrived. Unfortunately I have not had, and owing to the Amirs attitude, shall not have, the desired opportunity, but no doubt the Russian Government will represent to Your Lordship the great losses which the Sariks have sustained, and I think the best plan would be to offer them the equivalent of the land which the Sariks have lost,

In my despatch No. 50 of 5th June, I described to Your Lordship the canals in the Murghad Valley, the heads of which are required by the Russians. If the alteration in the frontier there suggested by me is accepted, there will be included between the canals and the river more than the area of cultivable land of which the Sariks have been deprived in the Kushk and Kashan valleys. This is a fair arrangement and if the Russians, as they profess, merely desire compensation for the Sariks, they have no excuse for not accepting it. But I fear they will not be contented, for what they really desire is to push in doing, were they to obtain all the scattered fields of the Sariks in the Kashan and Kushk valleys. To this the Amir would never agree, but he might after the commission has left Afghanistan be induced to give the Sariks the necessary compensation between Kara Tappa Khurd (the present frontier) and Kara Tappa, on the Kushk. I do not think he ought to be asked to give the canal-heads in the Murghab in addition.

The second alternative frontier which I would suggest to be adopted in case the Amir will not agree to a reasonable compromise, is that between the sub-divisions of Dali and Karkin. This would leave Afghanistan the whole of the Karkin and Akjul sub-divisions, but exclude from her Dali (including what remains of Islam) and Kham-i-ab. I have shown that Afghanistan is entitled to Islam, but it could not be separated from the rest of Dali without cutting off from the latter the heads of the canals on which it is dependent.

If the Khoja Saleh district is to be disintegrated, the only frontier which would not interfere with the canal system would be that between Dali and Karkin. It would also separate the Karkins from the Ersaris of Dali and Khami-i-ab, who are much intermixed with the Ersaris of Bosagha. The Frontier is well known locally. From the point where the recognized boundary meets the Chul, it runs between Dinar and Yazarik to the east and Dali and Islam to the west, and joins the river where the Ghaltan canal takes off. The head of this canal would be left to Russia.

Colonel Kuhlberg is of opinion that this is the best frontier, but as he claims up to the Robat of Tahir Muhammad Khan, four miles higher up the river through which he admits that it would be impossible to run a frontier, he requires compensation for the amount surrendered. This claim is untenable. The frontier proposed by me would scarcely require demarcation. It is well known and recognized. The only place perhaps where a pillar would be necessary would be on the bank of the river but the river encroaches yearly on the left bank and any pillar would be probably soon washed away. It would be better to fix the point where the frontier meets the river at a certain number of yards from some well-known point, such as the Robat of Tahir Muhammad Khan.

I have not referred to the frontier between the last pillar at the well of Imam Nazir and the Khoja Saleh district. That frontier was practically settled in Protocol No. 9, when it was agreed that, from Dukchi, the frontier should run to the North of Jar Kuduk to a point to be subsequently selected on the Oxus. Of course, the intention was that it should cross the sandy desert in a straight line, and the only question was whether it should run north or south of the Kala waji wells, and after some discussion it was decided that this point should be decided on the spot. I was therefore surprised when at the meeting of the Commission held on 17th July, Colonel Kuhlberg proposed or rather demanded that the line should run close to Neza Beg well which is only 2 or 3 miles from the Andkhui oasis, and thence, including the road from Andkhui to Jar Kuduk and Karkin within Blhara limits that it should deprive Afghanistan of Kak-i-Nazar, Kak-i-Tali and other water sources which are essential to her. At Jar Kuduk he proposed to evade the unmistakable intention of the agreement recorded in Protocol No. 9 by leaving the fort to Afghanistan without the well on which it is dependent. It would be quite impossible to comply with this preposterous demand, which

Vide Description in annexure 4.

Vide memorandum (annexure No. 4) for description.

Vide memorandum (annexure No. 4) for description.

Described in memorandum forming annexure No. 4

fairly exemplifies the unblushing manner in which the Russian Commissioner backs out of an agreement as soon as it becomes inconvenient to observe it. The road between Andkhui and the fort at Jar Kuduk must remain to the Afghans; but perhaps some arrangement may be made, by which the Bokhara flocks may continue to use the wells at Kak-i-Tali and other points on that road. The headmen of Akcha, Khoja Salar, Shiberghan and Andkhui, in Afghanistan, and of Kerki in Bokhara, have been summoned, and hope that they may be able to agree among themselves on some arrangement which the Commissioners can accept. At present, Afghan and Bokhara flocks freely graze within each other's limits; indeed, the country in question is one common grazing ground. This arrangement has worked well, and it is a pity that we should be obliged to disturb it. But if any arrangement is to be effected, the Russian Commissioner will have to adopt a less dictatorial attitude. Colonel Kuhlberg is always courteous, but since his arrival on the Oxus he seems to think that he is in a position to dictate his terms. Our personal relations have, however, continued to be quite friendly.

Colonel Kuhlberg's attitude regarding the frontier which has been already demarcated is also very unsatisfactory. Protocol No. 9 records the settlement of the pasturage question. I made certain concessions in the Kashan, and as regards the well of Khoja Gogourdak, and I gave the Sariks the use of water for this year from certain canals in the Murghab valley. In return, Colonel Kuhlberg gave a certain amount of pasturage. As far as Daultabad this had been already traced by sub-Commissioners, Major Durandad Captain Guedeonoff, assisted by Major Holdich should trace the frontier according to the instructions given by the Commissioners. These instructions were.

(1) the frontier was to be run through known wells, as pillars were not likely to stand long in the sandy desert;

(2) the average breadth of the belt of pasturage was to be 12 miles, due compensation for land given to the Russians elsewhere. No amount of land estimated, for, as pointed out by me, the land given up by us in the Kashan was valuable

being culturable and pasture ground, while that in the Chul which was now in question was sandy desert excepting for two or three months in the year when there was a certain amount of pasturage. I also instructed Major Durand to accept a ten miles belt between Daultabad and the Andkhui Oasis, in order to obtain more when the Oasis was reached, and so as to run the frontier through Dukchi if possible.

The Assistant Commissioners accordingly met and traced the frontier as at present demarcated, and no exception was taken to this settlement. Indeed, two days after, Colonel Kuhlberg deputed Captains Denisoff and Tchevpliansky to erect the pillars on the line thus traced in co-operation with Captain de Laessoe. The pillars were duly erected, but some question arose as to the Gokcha and Oilan wells which was referred to the Commissioners. According to the settlement, the former clearly belonged to Russia and the latter to Afghanistan. I wrote to this effect to the Russian Commissioner but suggested that a meeting of the Commission should be held if he had still any doubts. Colonel Kuhlberg, however, agreed with me and wrote on the 11-23rd May:—*Quant aux deux etange de Oilan Monieur Guedenoff les a laises al Afghanistan.*

The last pillar was erected, as decided by the Assistant Commissioners near the Imam Nazar wells, 3 miles south of Dukchi, on the 26th May, and no exception was taken either then or at the meetings of the Commission held on the 30th May, the 2nd and 13th of the June and the 10th July (N.S.)

Nevertheless at the meeting of 5—17th July, Colonel Kuhlberg claimed both the Oilan and Imam Nazar wells, on the ground that the Assistant Commissioners exceeded their powers. Colonel Kuhlberg argues that too much compensation was given but I do not agree with him. The amount of land over and above the twelve-mile zone given to Afghanistan by the Assistant Commissioners amounts to about 126 square miles. On the other hand, there was due to Afghanistan on account of cessions in the Kashan $8\frac{1}{2}$ square miles; on account of Khoja Gogourdak 18 square miles, and 291 square miles on

account of the zone of pasturage given between the Murghab and the Meridian of Sofi, which, according to Protocol No. 4, should have been from 15 to 20 miles in width, but which was reduced by Colonel Kuhlberg to much smaller dimensions. At the time I accepted the reduced zone on condition that the deficiency should be made up hereafter. Estimating the zone which should have been given at $17\frac{1}{2}$ miles—the mean of 15 and 20 miles there was due on this account 291 square miles and thus a grand total of about $317\frac{1}{2}$ square miles. Moreover, as I have already stated, allowance had to be made for difference in value. However these calculations may be now disputed, the fact remains that the settlement was made and accepted, and the Russians received and fully availed themselves of the concession made in return by the Afghans. One of the Chief Afghan concessions was the supply of water from certain canals in the Murghab valley to the Panjdeh Sariks from May to August and also a somewhat similar concession in the Kashan. Without this water, much of the Sarik cultivation would have been ruined and as pointed out in my despatch No. 50 of 5th June, only this consideration induced the Russian Commissioner to come to an agreement regarding the pasturage question. It is a somewhat remarkable coincidence that Colonel Kuhlbergs objections to the settlement should have been withheld until the necessity for the water had ceased and the Sarik crops were safe for this year.

I have therefore refused to re-open the settlement, and I hope your Lordship will approve my attitude. The wells in question are essential to Andkhui as posts whence the raids of the Kara Turcomans can be checked; but even if it were not so I would submit that this deliberate attempt to set aside a settlement to which effect has been given, should be repudiated. It may be that Bokhara flocks use these wells. If so, some arrangement may be made which will enable them to do so in future.

To re-capitulate the two alternative frontiers which I would propose for Your Lordships consideration are as follows.

(1) The surrender to Russia of the canal heads described in my despatch No. 50 of the 5th June, together with the land

between these canals and the river, or the cession to Russia in the Kushk valley, between Kara Tappa Khurd and Kara Tappa, of the land equivalent in area, namely, 2-69 square miles, to the cultivated lands of which the Sariks have been deprived in the Kushk and Kashan valleys. If either of these concessions is made, the frontier might run from the Imam Nazar wells in a straight line to the hill of Dungez Syet and thence to the actually demarcated line between Bosagha and Khamiab, except that here the frontier would follow the left bank of the Yangi Arik Karaja canal to its head instead of cutting off that head from Bokhara as at present. The part of this frontier between Iman Nazar, Dungez Syet and Khamiab would, however, include a good deal of pasturage which is used by Bokhara subjects and which is not essential for Khamiab. It may therefore be necessary to draw the frontier from Imam Nazar to Kara Tappa Khurd and to Khatawaji, and thence by Dev Kila to the locally demarcated frontier of Kham-i-ab. The chief objection to this frontier would be that it would cut (near Dev Kila) the road from Andkhui to Kham-i-ab.

(2) If the Amir will make no concession in the Murghab or Kushk, and Her Majestys Government consider that it is not desirable or necessary to press His Highness's claim to Kham-i-ab, I would suggest that the frontier be drawn from the wells of Iman Nazar through Kara Tappa Khurd and Bulghur to the locally recognised frontier, leaving Dinar and Yazarik (Karkin) to the east and Dali and Islam to the west, and joining the river at the head of the Ghaltan canal.

But I would remind Your Lordship that neither of these frontiers could be demarcated without the Amirs consent, and I beg to express my opinion that it would be most undesirable to press either on him until the Commission has returned to India. This need not prevent my sounding His Highness on my way through Kabul, and advising him to accept one or the other. If His Highness refuses, Her Majestys Government can decide whether to announce to him the settlement and leave Russia to give effect to it. In this case it will probably be necessary to elect the second alternative frontier. No pillars will be necessary. The frontier will run through well-known

landmarks as far as the locally recognised frontier between Dali and Karkin. If the Amir agrees to the frontier it might be as well to erect a few pillars on these landmarks, and an officer on the Persian frontier or other officer might be invested with the powers of an Assistant Commissioner for that purpose. If the first alternative frontier be adopted, it must be with the Amirs consent, and the concession might be easily marked off by the officer on the Persian frontier. It will not be essential to erect pillars on the frontier from Imam Nazar to Kham-i-ab, as it passes through well known landmarks; but if the Amir agrees, it might be as well to do so.

By the first of these settlements the Amir would preserve all that is at present in his possession, indeed more, for though Afghan flocks may occasionally stray further into the Chul, the Amirs effective possession does not extend beyond the road from Andkhui to Jar Kuduk and thence, east of Dev Kila, to Kham-i-ab. The land which he would be required to give up in the Murghab or Kushk valleys is of no value to him; on the contrary, it will always be the cause of discord and contention between Afghans and Sariks.

By the second alternative frontier, the Amir would lose about 15 square miles of the Khoja Saleh district inhabited by 960 Irsari families and yielding a revenue of about £300 or £400 annually. He would also lose a small tract of Chul neighbouring Kham-i-ab, which would necessarily go with it to Bokhara. On the other hand, this frontier would be in more than only way convenient.

I have already represented to Your Lordship the improbability of the Amir agreeing to this frontier, and perhaps I may be permitted to submit a few remarks regarding the political objections to negotiating the settlement without His Highness consent; for with his consent Kham-i-ab might be safely given up and the boundary might be demarcated by us without any risk or opposition. I understand there to be two objects in this demarcation 1st, to check Russian aggression, and (2), to consolidate our alliance with Afghanistan. The first would probably be sufficiently attained so far as it can be attained by any frontier demarcation by our settling the frontier direct with Russia in spite of the Amir. But the

second object would probably be defeated by such a settlement. Either the Amir will, after much recrimination, sulkily acquiesce, or he will be driven into the arms of Russia. I do not think the latter contingency probable, for the Amīr is shrewd and astute. He knows and understands the Russians, and he must fully recognise that he could not hold his own in Afghanistan without our support. Nor I imagine, would Russia welcome overtures so compromising at the present moment, certainly not in the substantial manner which would alone satisfy His Highness. Russia is not yet ready in Central Asia for war, and though she doubtless wishes to break up the demarcation, and with it the Anglo-Afghan alliance yet her object probably is the partition of Afghanistan between us and her; and not the conquest of India with Afghan help, as Kazi Saad-u-din Khan and no doubt other influential men about the Amir confidently imagine. Therefore I do not think that a direct settlement with Russia would involve any immediate rapture with Afghanistan. But it would contain the seeds of much bad feeling, and it would greatly injure our prestige in Kabul. In a telegram to Your Lordship, I have referred to Sirdar Ishak Khan's statement that the surrender of Kham-i-ab might cause a revolt among the Usbeks. I do not think that there is any chance of such being the case. The Khoja Saleh district is separated by sandy wastes from the Usbek districts of Turkistan, and, so far as I have seen, the Usbeks are singularly apathetic regarding the doings of the Commission. The surrender of Kham-i-ab would, I believe, cause little or no excitement. It would cause much discontent in the minds of Sardar Ishak Khan and his Afghan officials, but that would subside. Our prestige would not be much affected, for it is recognised by Ishak Khan and his entourage that Afghan Turkistan is at the mercy of Russia whenever she chooses to advance, and that it is beyond the power of England to prevent the inevitable.

The Panjdeh disaster has greatly lowered our prestige in these districts, so far from us and so near to Russia, and the most exaggerated idea prevails regarding the smallness of our army and the strength of Russia. Nothing will remove this impression until Russia is beaten by us in the field. Then the

whole of Central Asia will be on our side, for though these people are pessimists as regards our power to help them they are by no means unfriendly towards us.

It is different in Kabul and Afghanistan proper. In a few days a British army might again occupy Kabul, and Kandahar is always at our mercy. We are near and Russia is far off, and consequently our strength is seen and our prestige is still great. No doubt the Panjdeh disaster has done us much harm there also, and if it be followed by the surrender to Russia against the Amirs will, of a district which the Afghans know, and which we and the Russians admit to be justly theirs our reputation may be greatly injured. It may be that the agreement of 1872-73 gave up Kham-i-ab to Russia, but that was an agreement between ourselves and Russia, and, as Colonel Kuhlberg has repeatedly reminded the Afghan Agent, the Amir of Afghanistan was not consulted or wanted as to the loss about to be inflicted on him. Although our reputation for strength in Afghanistan and Central Asia has suffered through recent events, yet belief in our honesty and sense of justice is still supreme, and the word of an Englishman is never doubted by Afghan, Usbeg or Turkoman. I greatly fear that the surrender of Kham-i-ab without the Amirs consent may impair that faith in us, for it is too much to expect that these people will understand the nice distinction between the spirit and wording of a treaty, and it is almost certain that they will believe us to be yielding to the threats of Russia when we give up to her what we and she admit to be the Amirs rightful property. Therefore I would submit that only as a last resource, only after every possible means of inducing the Amir to agree to a reasonable compromise has been exhausted, would we be justified in giving up to Russia the district of Kham-i-ab without the Amirs consent. It is possible that the Amir may give way when he sees that the Commission has broken up, and that he is still without a frontier. For the demarcation of this frontier is the Amirs own idea, and he is very proud of its having been at last adopted by us. His vanity will make him cling to it. On the other hand, the Amir is particularly arrogant and indlanted at the present time. When the Viceroy suggested to His Highness that he should make certain

concession in the Murghab, he refused because, as he wrote to his agent with me, he had privately learnt that there had been a great debate in the English Parliament as to whether he could be justly called upon to give up the canal heads in question, and eventually it had been decided by a large majority that he should not be required to make any further concessions. Again, when the late Conservative Ministry resigned office, Kazi Saad-ud-din Khan begged me to represent to Her Majesty the injury to Afghan interests which such events caused, and the hope of the Afghan nation that no more changes of Ministry would be allowed until the demarcation of the Afghan frontier had been completed. I believed that much of this arrogance will evaporate when the Amir finds his frontier deserted by the two commissions and himself no longer the object of contention between Russia and England. For I do not believe the Colonel Kuhlberg is playing any carefully arranged game which will be continued, except in a fitful and casual way after the Commission have been withdrawn. No doubt the Russian Commissioner has orders to ingratiate himself with the Afghans and to detach them from us as far as possible, and this he is trying to do in his own way and according to his own lights. He entirely devotes his efforts to Kazi Saad-ud-din Khan, for he believes that pretentious priest to possess the commanding voice in Afghan politics which he affects to have. No other influential Afghan has, I believe, been seduced; indeed the Kazis jealousy would not permit the attempt being made, and this has been our great safeguard against any general system of intrigue. If real mischief were intended, the conduct of so delicate a negotiation would probably be confided to the more practised hands of Mons. Lessar, but he apparently has no share or interest in Colonel Kuhlbergs diplomacy. One result of the flattery and attentions bestowed on Kazi Saad-ud-din Khan is that his natural arrogance now exceeds all bounds, and consequently he has made himself hated by Sardar Ishak Khans officials as well as by his own entourage. This will probably be the case in Kabul, and therefore I do not anticipate that he will be a useful friend or a dangerous enemy. The Amirs eyes have, moreover, been opened by His Excellency the

Viceroy to the Russian proclivities of his agent, and His Highness will certainly regard with suspicion any advice which he gives in favour of Russia. I have great hopes that a friendly discussion with the Amir at Kabul may bring about a satisfactory solution of the question, for His Highness has no doubt a very exaggerated and erroneous idea of the real facts of the case. If the Amir will agree to give up Kham-i-ab, the cession may be safely made and pillars may be erected without risk of opposition.

(ANNEXURE NO. 1) 'SECRET'

Dated Kham-i-ab, 4th July 1886.

From—W. MERK, Esq. Political Officer,

To—COLONEL SIR WEST RIDGEWAY K.C.S.I.

I have the honor to submit a report on the result of the inquiries made by Captain Komaroff and myself, as to the existence of the post of Khwaja Saleh mentioned in the agreement of 1873. Attached to this report are—

(a) A record of the evidence taken by Captain Komaroff and myself signed by us jointly. An identical record, similarly signed, is with Captain Komaroff.

(b) Statistics regarding the district of Khwaja Salar, for the compilation of which I am indebted to Sirdar Muhammad Aslam Khan, who has taken great pains in collecting all the available information.

2. Before proceeding to consider the facts which I think are proved by the evidence we have taken, it may be convenient to give a brief sketch of the district and of the system of its administration. The cultivated land for thirty-five miles along the left bank of the Oxus from the sandhills above Dagharasi (a small village lying about three miles up-stream from Kilif) down to the frontier with Bokhara at Bosagha comprises the district of Khwaja Salar. Included is a strip of desert or chul of an average breadth of 20 miles along the irrigated tract; this chul forms the pasture ground for the sheep owned by the people of Khwaja Salar, and contains wells dug by them. The whole district is divided into four sub-divisions, called (1) Akju with Dagharasi (2) Karkin, (3) Dali (4) Kham-i-ab. Each sub-division is composed of sections of varying number, each section being presided over by its own Aksakal or headman. Annexure B gives full details on this points.

Khwaja Salar is a division of the Alcha Governorship which is, in turn, a portion of the province of Aghan Turkistan; this arrangement has been maintained ever since the

Afghan conquest 36 years ago. The Governor of Khwaja Salar is under the direct orders of the Governor of Akcha, but is appointed by the Governor of Afghan Turkistan. During the early years after the Afghan conquest the district of Khwaja Salar appears occasionally to have been kept under the direct management of the Governor of Akcha; but since 1860, at the latest, it has been administered by a distinct Deputy Governor who when not on tour usually resides in Karkin which is the largest sub-division of his charge. This Deputy Governor is and was entrusted with the general, revenue, civil and criminal administration of the district and the duties of watch and ward of the frontier subject to the following checks. The Aksakals pay in the land revenue direct to the Akcha treasury, and not through their local Governor; at various times every year the Governor of Akcha, or an official deputed by him visits Khwaja Salar, and examines the affairs of the district; criminal cases involving a sentence of death are dealt with only by the Governor of Afghan Turkistan; and lastly, the local Khwaja Salar militia, although generally speaking under the orders of the local Governor, are inspected and their officers appointed by the Governor of Akcha. Petty civil and criminal cases are disposed of by the Kazi of Khwaja Salar who lives in the Karkin sub-division.

Ever since 1853, a local corps of militia horse has existed under responsible officers in Khoja Salar; a section of this militia has always since that date been maintained in Kham-i-ab; this is proved by evidence we have taken. The statement attached to Annexure A contains full information regarding the militia. This body has at different times been commanded by one or more Mingbashis, according as it has formed one or more distinct charges. Under the Mingbashi, there are in each such sub-division of the district, Yuzbashis who each command ten horsemen. The men live in their own house and turn out for duty when required. Their duties are to act as police and to guard and patrol the frontier line and the chul. They and their officers receive pay on a fixed scale. When all the Turcoman horse of the Akcha Governship are called out for duty, the militia of Khwaja Salar under their Mingbashi or Mingbashis join the general levy and come then

under the orders of the Sarhang or Chief of all the Akcha Turcomans. The present Sarhang is Allah Nazar Khan he lives at Akcha. The inhabitants of Khwaja Salar, with the exception of the Karkin sub-division, are Ersari Turcomans, and have occupied their present sites for probably more than 70 years. The inhabitants of Karkin belong to the Karkin tribe, and appear to have arrived here together with their Ersari neighbours. The Karkins say that they are Afshars, and if so are probably a section of a race cognate to the Turcomans. For all practical purposes, however, the Karkins have been merged in the Ersaris, and they live on the best of terms with the other residents of Khwaja Salar. The total revenue of the districts is 97,000 tangas Rs. 25,865; of this sum, 55,000 tangas is the permanently fixed land revenue of Khwaja Salar, which is paid in cash by the Aksakals who assess its incidence among themselves. The remainder, or 42,000 tangas, is made up by miscellaneous taxation taking the shape of sheep, camel, cattle taxes (vide Annexure B), the tolls at the kilif ferry which have been farmed this year for 10,000 tangas, the silk and the marriage taxes.

The Governor of Khwaja Salar and the militia receive their pay by cheques against this revenue which are payable either by the headmen or by the former of the miscellaneous taxes; in the same way the Aksakals draw their personal allowances.

The people of Khwaja Salar own upwards of 60,000 sheep, which are pastured in the adjoining chul, where the wells of Tash kuduk, Kak Tali, Ali Kadim, Kara Tappa and Jar Kuduk are stated to have been dug by the Ersaris of Khwaja Salar, and therefore to belong to them. The small mud fort at Jar Kuduk was built by Sirdar Ishak Khan in 1881. Before that year the patrols from Kham-i-ab were stationed at the Jar Kuduk well, where they are reported formerly to have found shelter behind a rude breastwork.

3. Turning now to the points which in my opinion are satisfactorily established by the evidence that we have jointly recorded, there can be no doubt whatever that from Dagharasi down to, and including, Kham-i-ab, the country has, for at least thirty-six years, been in the peaceable undisturbed and continuous possession of Afghanistan as an integral portion

of that State; that Bokhara has neither claimed nor endeavoured to disturb possession of the whole or any part of this tract, or of any villages or land in it, that the inhabitants have never during this time attempted to throw off Afghan supremacy; and that it has since the Afghan conquest been an administrative and fiscal sub-division of the Akcha Governorship.

4. There can also be no doubt that collectively the four sub-divisions of Akjui, Karkin, Dali, and Kham-i-ab are known officially and popularly as Khwaja Salar. The witnesses produced by the Afghans say so distinctly, and the inference from the remarks of the Bokhara witnesses that the land above and below the left bank end of the Khwaja Salar ferry, i. e, Islam (which is a section of Dali), is called Khwaja Salar, leads to the same conclusion. Privately Sardar Muhammad Aslam Khan was told by Moulla Verdi, the Aksakal of the Bokhara village of Charshanga, when we were there, that it was notorious that from Kilif to Kham-i-ab the country was called Khwaja Salar. It is obvious some common name must have always existed for four small sub-divisions that have formed for generations the administrative unit. The sub-division of Karkin is known as Khwaja Salar, because in it lie the Ziarat and the Serai Khwaja Salar. Being the principal sub-division., and the usual seat of the Governors, the name of Khwaja Salar has been extended to the whole district, including Kham-i-ab. This process is exceedingly common here and elsewhere. For instance, I asked the Governor of Kilif what were the boundaries of Kilif simply. I did not say the district of Kilif or tract of Kilif, but simply Kilif. He immediately gave the boundaries (which on the right bank of the Oxus correspond roughly with the boundaries of Khwaja Salar on the left bank). Similarly, the Bokhara witnesses said that the Charshanga Ersaris came from Kerki, meaning thereby the Bokhara province of Kerki, and not the town of Kerki. So also, a man from Bosagh² or elsewhere in the Kerki Province of Bokhara, if asked where he comes from, will say Kerki first, and afterwards, on being further questioned will specify by name the village to which he belongs. There appears to be no village called Khwaja Salar on the right bank of the Oxus.

5. At the date of the Afghan conquest, A.D. 1850 there were two ferries on the Oxus within the limits of Khwaja Salar, one at Kilif and the other between Charshanga on the right bank, and Islam on the left bank. There has never been a ferry on the river at or opposite the Ziarat and Serai Khwaja Salar. Islam lies at a distance of 8 miles measured in a straight line downstream from the Ziarat Khwaja Salar, and is part of the Dali Sub-division. This ferry between Charshanga and Islam was known as the Khwaja Salar ferry, because the country on the left bank is known as Khwaja Salar, and because Charshanga is inhabited by a section of Charshanga Ersaris, who, having resided for some time on the left bank in Khwaja Salar, are known as the Khwaja Salarli Charshanga. It is a minor point perhaps, but I would note incidentally that we could find no trace of a Khwaja Salikh or Salih, and that one and all who pronounced the name called it most distinctly Satar. It is abundantly proved that, at the latest in 1868, this Khwaja Salar ferry had ceased to exist as a permanent ferry, and that from 1868, to 1878 there was a ferry between Charshanga and Islam for local purposes only, for four months every winter. Since 1878 this ferry has been closed altogether. The reason for believing that from 1868 to 1878 the temporary ferry was only for local purposes will be given below. It is equally certain that at no time within the memory of the inhabitants has the Kilif ferry been, even temporarily, closed or the number of boats there been reduced. There appear to have been no Afghan boats at the Kilif or the Khwaja Salar ferry before the year 1872, when three boats were constructed in Khwaja Salar and taken to Kilif by order of Naib Muhammad Alam Khan, Governor of Afghan Turkistan. One of these boats used thereafter to go very winter up to 1878 with one Bokhara boat to Islam-Charshanga. The evidence as to the number of Bokhara boats at the Khwaja Salar ferry, prior to the introduction of Afghan boats, is conflicting but I am inclined to think that it was less than the number of boats at Kilif, because the Khwaja Salar ferry was for more inconvenient and un-important than the Kilif ferry.

6. The high road from Balkh to Bokhara can never have passed by the ferry at Charshanga Islam for the following reasons:—The road from Balkh to Bokhara via Kilif is shorter than via Islam and Charshanga, as a glance at the map will show. Moreover, Kilif is infinitely the better ferry; for many centuries the main caravan route between Balkh and Bokhara has always been via Kilif; the ancient Arab geographers mention Kilif as an important ferry, but are silent regarding Khwaja Salar; the line of old robats, caravan-series, and reservoirs of water dotted along the existing Kilif route, show that it was the main route in the middle Ages. Timur, and again Nadir Shah, crossed the Oxus at Kilif. Burnes travelling from Balkh to Bokhara writes; We left the great high road from Balkh to Kilif, the usual ferry, from a fear of robbers and journeyed westward. Our witnesses exactly corroborate what Burnes wrote 50 years ago. Traffic between Balkh and Bokhara was sometimes temporarily deflected to the lower ferry, owing to the wars and insurrections which periodically occurred from the collapse of the Sadozai power in Afghan Turkestan, up to the re-establishment of Afghan authority by Amir Dost Muhammad Khan in 1850. Since then, the country has been safe, and whenever the country was safe, traffic immediately returned to Kilif; partly because this route is shorter, but principally because the crossing at Kilif is much better than at Islam. It is necessary to explain the case of this persistent preference shown for Kilif. The bulk of the traffic between Balkh and Bokhara consists of the Indo-Central Asian trade, including that of Kabul. From December to April this trade is at its ebb, because the passes of the Hindu Kush are closed, and practically the great traffic is at a standstill. When the passes re-open, the Oxus comes down in flood, commencing in March, obtaining its full height in June and July and subsiding in September. Therefore, when trade is most brisk, the Oxus is in full flood. At this season the river is 470 yards wide at Kilif, with a current at the rate of 4 miles an hour, and a ferry-boat at Kilif, as I have tested, could at this season, between sunrise and sunset, easily make ten trips with goods to the opposite bank and back. At Islam-Charshanga, the river is over a mile in width, with a current at 4 miles an

hour, and low banks which, when I saw them, were under water. Under these circumstances I fully credit the two Bokhara witnesses whom we examined at Charshanga, one of whom said that at the food season a boat could only make one trip a day with goods at the Khwaja Salar ferry, and the other of whom stated that it took from 10 to 15 days to ferry a caravan of 100 camels across at Charshanga. An ordinary ferry boat will hold from 8 to 10 camels with their packs. In calculating the time which was required for a trip across and back at Charshanga, there must be borne in mind the time required for loading and unloading the boat, for towing her up-stream by men till she has touched the main current, then for gradually working her way across the stream with sweeps, for being towed to the opposite bank through the shallow water, and thence up along the bank till a point was reached, starting from which she would land at Charshanga. The whole operation cannot have taken less than 7 or 8 hours, and one trip was a days work for the crew. In winter the case was different, the river being narrow; but at that time there is comparatively little traffic between Balkh and Bokhara, and consequently the witnesses are probably correct in stating that from 1868 to 1878, the boats went only for local purposes to Islam-Charshanga. Under any circumstances, it is perfectly clear that, subsequent to 1868 the high road from Balkh to Bokhara cannot possibly have been via Islam and Charshanga, that for many years previously, certainly since 1850, all the Balkh-Bokhara traffic has gone via Kilif; that before 1850 at intermittent moments some of the Balkh-Bokhara traffic used the Khwaja Salar ferry, but only under compulsion, and the Balkh-Bokhara high road has always been via Kilif.

7. Personally I believe that the Khwaja Salar ferry was instituted by the Chiefs of Akcha, partly for local purposes, and partly to draw the caravans going from Bokhara to Maimena away from Kilif. For the Maimena-Bokhara traffic, the Khwaja Salar route is certainly shorter than the Kilif route and probably traders between Bokhara and Maimena may have occasionally used this ferry when the more convenient kerki-Andkhui route was unsafe. (This latter was the road

taken by Vambéry on going from Bokhara to Herat). One of the witnesses (Bokhara) attempted to argue that the caravans did not go by Kilif because there were no supplies there. If so, the reason he gave for the closure of the Khwaja Salar ferry was singularly inconsistent. As a matter of fact, so long ago as 1812, there were 40 families at Kilif and Dagharasi was larger than it is now. But the question of supplies at Kilif has no bearing on the point at issue, because caravans as a rule require no supplies from one chief town to the next. The camels find their grazing everywhere, and the men in charge carry 10 days to a fortnights flour, &c., with them, purchasing at larger markets where food is cheap.

8. There never has been a post of any kind at the serai or ziarat Khwaja Salar. The Serai is an old mud ruin, and was no doubt one of the chain of caravan-serais, of which ruins are said to be found every ten or twelve miles along the left bank of the Oxus, from Termiz down to Kerki; the ziarat is an insignificant mud-plastered tomb, surrounded by a low wall and bears no signs whatever of being a place of pilgrimage or local celebrity. There has never been a post at the Islam end of the Khwaja Salar ferry. It may be argued that Robat Tahir Muhammad Khan, which is the official residence of the Governor of Khwaja Salar, is the post of Khwaja Salar. This building lies at a distance of four miles from Islam and from the ziarat Khwaja Salar. It was not built till 1873; it consists of an ordinary mud house of the usual description in which the Governor lives with his family. In front is a small courtyard with a dilapidated mud-built room, in which strangers having business with the governor are accommodated. The few horsemen whom the Governor keeps with him as orderlies picket their horses under the trees in this court-yard and sleep in the court-yard or in the room mentioned above. The house and court-yard are in no way fortified; they are not even enclosed with high mud walls, as are other Turkoman residences in this district; and it is impossible to signify Robat Tahir Muhammad Khan with the designation of a post.

9. There was a ferry for six months at Kham-i-ab in 1871.

10. It is noticeable that a Russian officer is admitted to have visited Kilif, Charshanga and Akkhum between 1873

and 1877. Privately I have heard that he came in 1873 to Charshanga.

11. The correspondence terminating with the agreement of 1873 contemplates the frontier of Afghanistan as lying where the Bokhara Province of Kerki terminates. This point is indifferently called a ford, near a ford, a point a ferry, a village, and lastly a post of Khwaja Saleh. Ford there is none on the Oxus below the Kokcha river. There also appears to be no village Khwaja Saleh on the right bank. As regards the ferry, point or post, it will be seen from the above resume of the evidence, as well as from the evidence itself, that nowhere do the terms of the agreement apply with sufficient exactness to admit even technically that the frontier should be drawn at any other spot than where the frontier line has existed for the past 36 years; viz, between Kham-i-ab and Bosagha.

For. Deptt.

Secret-F. Progs.

Aug. 1887, Nos. 1-32.

Subject :—Afghan boundary negotiations, Correspondence furnished by the India office on the subject.

Russo-Afghan boundary negotiations, &c. Extract from Asia Confidential Prints, Section No 525, dated the 22nd and 23rd May 1887.

Sir R. Morier to the Marquis of Salisbury—(Received London, 23rd May).

‘SECRET’

St. Petersburg, 16th May 1887

My Lord,

I duly received by Messenger Leeds Your Lordship's despatch No. 142, Secret, inclosing correspondence with the India Office, and the Viceroy's two telegrams of the 9th instant.

The second of these telegrams coincides in a marked manner with the considerations which I had the honour to submit in my despatch No. 168 of the 11th instant. It was clear that the Viceroy, like myself, was pre-occupied with the contingency which the experience we have had of Russian dealings in Central Asia could not but suggest, of an occupation of the Kham-i-ab district pendente lite. The Portentous sentence with which His Excellency closes his telegram brought the imminence of the danger clearly before my mind :—

Any advance across the present Afghan frontier is likely to result in a collision between Afghan and Russian troops, and the consequences would be most serious.

In the meantime, from various indication which had reached me, I was convinced that the struggle between the civil and the military parties, or rather between M. de Giers and the military party, because M. Zinovieff belongs for more to the latter than the former, was as keen as ever, and that it was

therefore most important to lose no time in strengthening the arguments at the disposal of the Foreign Minister. Accordingly I determined, though without instructions from Your Lordship on this subject, to accentuate the warning I had already given to M. de Giers, as to possible results of occupation, if such a scheme were under considered, on the whole, that, whilst a warning of this nature fell within my legitimate functions as Her Majesty's Ambassador, the giving it *proprio-motu* and without special instructions would under all eventualities, leave Her Majesty's Government free and unfettered.

I accordingly called on M. de Giers this afternoon, as it is my custom to do on the Monday which follows the arrival of my fortnightly messenger, and said that I had received no communication to make to His Excellency, but that in the information from various quarters which had been sent out to I had found much cause for disquietude. The concentration of troops at Charjui and Kerki, to which reference had already been made in our conversation on Wednesday last, was not only confirmed from many quarters, but appeared from very reliable sources to be upon a far larger scale than I have been led to infer from the explanations given by General Obrucheff to Colonel Herbert.

I admitted that the reinforcement of the Charjui garrison had not inspired me with any feelings of distrust, because it always seemed to me natural that the *tete de pont*, so to speak, of the Central Asian Railway would imply the presence of an effective military force to defend it. The occupation of Kerki seemed to me a different matter, and I had not thought that General Obrucheff's account of this military station as necessary for purely commercial purposes entirely met the case. But a very circumstantial and apparently well-authenticated rumour that these military measures were being complemented by the movement of a considerable body of troops to Bosagha, a town which appeared on the map as immediately outside the limits of the Kham-i-ab district, had, I confessed filled me with dismay. If, I went on to say, this rumour were confirmed, I thought it not unlikely that it would produce a panic on every Course in Europe. For such a movement would at once give a bodily shape to a suspicion in the air, and the

presence of which could already be detected in various utterances of the press, that the powerful military elements which were credited with the final decision on political no less than military matters in Central Asia contemplated, should the present negotiations lead to no result, cutting the Gordian knot by a military occupation of the disputed territory. I had received no instructions to speak to His Excellency on the subject; indeed, the telegrams which had the most alarmed me had reached me since the despatch of the messenger, but the matter refrain from warning His Excellency, under the full sense of my responsibility as Her Majesty's Ambassador, that if such a plan were contemplated, it might lead to the very gravest results. I considered it absolutely inadmissible that any change in the status quo of territories actually in the possession of the Amir should take place, otherwise than as the consequence of an agreement between Russia and ourselves.

I felt confident that public opinion in England, whether Whig or Tory, whether Conservative, Liberal, or Radical, would not view with indifference the occupation of any land forming *bord fide* part of Afghanistan.

M. de Giers listened attentively to what I said, and received my observations in the most friendly spirit. He assured me in the most positive terms that this was the first time he had heard of an expedition to Bosagha, with the very locality of which place he was unacquainted. He explained to me very confidentially the discussions that had taken place between the Emperor, the military authorities, and himself respecting the increased military establishment at Charjui and the outpost at Kerki, and he made the remarkable statement that he had not given his consent to these measures until it had been proved to his satisfaction that they had objects of a non-aggressive character in view; and he repeated what he had told me on Wednesday last, that he had urged that the military occupation on a larger scale at Charjui effectually disposed of the argument that Kham-i-ab was necessary for strategic purposes. It was perfectly impossible therefore, that a concentration at Bosagha, such as that of which I had told him a rumour had reached Her Majesty's Government, could either have taken place or even be in contemplation without his

knowledge. To set my mind at ease he would make inquiries into this subject, and let me know.

His Excellency's tone, however, in speaking of his military partners, as on many former occasions, was far from implying implicit trust as to what they might not do next, and a very characteristic observation which he made a little later throws a flood of light on his mental attitude towards them. He said, after all, I am far too sure of my case to make an inquiry necessary, and I had much better say nothing, because the very fact of such an inquiry might put it into their heads to do the very thing which we do not want them to do.

I said I was very glad, both of his denial of the truth of the report and of the evidence given me of his being on his guard against surprises. I had obtained all I wished, which was to be in a position, *le cas echeant*, to recall the fact that I had put in a solemn caveat against the possibility of the occupation of any territory actually in possession of the Amir of Afghanistan, otherwise than by the mutual consent of the two parties to the present negotiations,

Some desultory conversation followed, in the course of which I, as it were by accident, picked up a hint which I am inclined to believe gives us the true key to the Russian position. It was a propose of an observation made by His Excellency on the excellent spirit which had characterized the discussions between Sir West Ridgeway and M. Zinovieff which led to a depreciatory remark by His Excellency in reference to Colonel Kuhlberg. I did not quite catch what he said, but as it seemed to me as if it might imply that Colonel Kuhlberg had met with sharp treatment at the hands of Her Majesty's Commissioners, which he had not been quick-witted enough to guard against, I observed that a perusal of the protocols was quite sufficient to show that nothing could have been more loyal or straight forward than the bearing of our Commissioners, or more fair and equitable than the ground they had taken up. His Excellency replied that I had misunderstood his meaning. He was perfectly convinced of the truth of what I said, but the fact remained that when the general results had been considered at St. Petersburg it was found that a line of frontier

altogether different from what had been expected or hoped for had been agreed to, and positions most important for the Sariks had been abandoned. It was for this that his superiors made Colonel Kuhlberg responsible.

From the tone and manner in which His Excellency made these observations, it was quite clear to me that the acquisition of Kham-i-ab was a matter of indifference to the Russian Government, and that the conflict about Khoja Saleh had value in their eyes exclusively from the opportunity it afforded of remodelling a frontier by which the material interests of the Sarik Turkomans had been sacrificed, and the tracing of which they regarded as the result of the superior skill of the British Commissioners and the blunders of their own. I observed to His Excellency that I could not but think the grievances of the Sariks were greatly exaggerated. They had no settled habitations or villages within the new frontier, but merely scattered patches, which Sir West Ridgeway had said there would be no difficulty in finding for them elsewhere. Anyhow, I said, the frontier, as far as it went, was a treaty frontier, settled once for all, and incapable of being changed except by mutual consent. M. de Giers assented to this view. His Excellency then, adverting to the course the further negotiations would take, said that he would require at least a week to study the protocols and the reports made to him by his Delegates. He was discussing the question with M. Zinovieff, who, he did not deny, had strong personal opinions on the subject, and he would see whether a compromise were yet possible between the divergent views of the Commissioners. But he much deprecated the idea of rushing to a negative solution, and spoke in a way which led me to believe that he would regard delay in coming to any conclusion as preferable to a definite reptime.

In conclusion, His Excellency, speaking with very great earnestness, said—I am not optimistic by nature, and God knows that all that has happened of late has not tended to encourage that faculty, even if it existed; but I am absolutely convinced that this Afghan question will not lead to grave consequences or take a critical form.

I have, &c.

(Signed) R.B.D. MORIER.

III

For. Dep'tt. Secret. F. February 1887. Nos. 314-343.

Subject:—Central Asia papers Afghan Boundary, & c.

‘SECRET’

Foreign Office, London.

Dated 6th January, 1887.

From :—Sir Julian Pauncefote, Under-Secretary of State for Foreign Affairs,

To :—The Under-Secretary of State for India

I am directed by the Earl of Iddesleigh to transmit to you herewith, to be laid before the Secretary of State for India, a translation of communication from a Russian Pole who withholds his name offering his services as Political Agent of this country in Central Asia.

In Mr. Perry's No. 57

dated 20th Dec. 1886.

This document was sent in cypher and in Russian to Her Majesty's Consul-General at Odessa, by whom it was forwarded to this country. Mr. Perry states that the envelope in which it was enclosed purported to contain merely the passport of a British Indian subject and did not appear to have been tampered with.

The Key to the cypher had been forwarded by the writer to the Foreign Office some weeks ago

Lord Iddesleigh does not propose to take any notice of the communication which I am to request may be returned to this office.

Translation of Decypher

I am an officer of Polish nationality in the Russian service in Turkestan. I hold an important post in the civil service of the Government of that province. In view of the present complications likely to lead to a conflict between Russia and England in Central Asia, being, as I am, a member of a Polish Secret Society, I should like to be useful to you I propose to be your Chief Secret Political Agent on a salary £4,000 a year with an agreement for five years, or, if necessary, I can organise on a firm basis in Central Asia a Secret Political Agency pour deriner utilement (sic). to have here, incognito, on its staff one or two English general staff officers; as director of the thing I shall be responsible for their safety. For this purpose it is very desirable that I should myself come to London to become better acquainted with you, and to confer about the organisation of the scheme, in order to clear up, or forestall any difficulties that might arise, and to take every possible precautionary measure. Further, in order that our correspondence and my private communications with England may not attract the notice of the local authorities here, with the strict and offensive control that is now exercised, I must ask you to point out to me some person living within the Empire, at Moscow, Odessa or Warsaw, with whom I may correspond without danger, and through whom I can receive from you further instructions and convey to you the necessary information. I would ask you to give orders to your Consul or Agent to let me know by telegraph directed to the address given, below, in Russian, the clear and accurate address of the person with whom I can correspond. If you also think it necessary for me to come to London., please telegraph to me at the following address; Tashkent, Poste Restante, A. N. Tsrolatoff. The telegram to be worded as if referring to travelling expenses, and I have to request you a most important matter to let me have £1,000 £250 of this sum I must receive in Russian paper money here at Tashkent, to the address I shall give by telegraph to your Agent; and £ 150 in gold later at Odessa, from the English Consul on my first application; the rest when I get to London. I keep my name a secret for the present, from motives of precaution.

IV

For. Deptt. Secret F. October 1885, Nos. 385-700

Subject :—Correspondence received from the India Office, London, regarding the Afghan Boundary Commission.

'SECRET'

No. XXXV. Dated Simla, 5th June 1885.

From—His Excellency the Viceroy and Governor-General of India in Council,

To—His Highness the Amir of Afghanistan.

I have received your letters of the 9th and 17th May and have understood both of them.

I am glad to say that the prospect of peace, which I announced to you in my last letter, has been confirmed by subsequent intelligence, and that there is a fair probability of arrangement being concluded on the lines we agreed upon at Rawal Pindi.

Your Highness's letter of the 9th May contains a request for some more money. Having already supplied Your Highness with 25,000 breech-loaders, of rupees, exclusive of a lakh given by Sir Peter Lumsden to your Governor, Muhammad Sarwar Khan, I should have thought that enough has been done for the moment, especially in view of the present favorable aspect of affairs. Of course if war breaks out, as is still possible, the case will be different. In that event I shall be prepared to give Your Highness further assistance. But in either case there are certain conditions to be observed. I explained to Your Highness at Rawal Pindi that the money at my disposal was not my own; that it was public money, for the

proper expenditure of which I was responsible, and for which I should have to render an account to the British Government and that consequently it was necessary for me to insist on some guarantee for its judicious and effective application. Your Highness acquiesced in this view, and promised that, as soon as you returned to Kabul, you would send me a carefully prepared statement of your intended military arrangements and their cost. This, however, has not been done quite so completely as I anticipated. You ask me, indeed, what ought to be the strength of your establishments, but upon this point I am hardly a judge. Had Your Highness been able and willing to accept the assistance of experienced English officers and to let them inquire carefully into the Military resources and needs of your country with the view of organizing its defence, I should be in a position to give you the advice you seek. But Your Highness is not inclined to accept even the services of Muhammadan Officers trained in India, and you have evidently no desire to invite English officers into Afghanistan. Therefore I have no means of forming a decided opinion with regard to the force you should maintain. If however Your Highness will be good enough to give me your own opinion on the subject, with the reasons for it, explaining in detail what number of troops you think it necessary to provide, what are the points at which they should be stationed, and how far the normal revenues of Afghanistan are capable of meeting the expenditure which would be involved then perhaps I may be able to judge of your legitimate needs. But I need not remind Your Highness that, though the British Government is quite ready to help you to defend your country against the attacks of Russia, it cannot undertake entirely to maintain your army. The Amir Sher Ali Khan had, as you know, a large standing force which he was able to support on his own resources. Your Highness will also require to maintain at all times a considerable number of well-armed troops, but for this purpose the revenues of Afghanistan, with the aid of the subsidies now granted to you by the British Government, ought to be sufficient in time of peace. Should the situation become more critical you will

find, if only you will deal openly and frankly with us, and show the same confidence in us we do in you, that we shall be prepared to back you up with energy and liberality.

I now come to the question of the fortification of Herat. I desire to express to you my satisfaction at Your Highness's having allowed our officers to visit the place, and at the honour and kindness with which they were treated. Their account of the fortress corresponds with what Your Highness told me at Rawal Pindi. They report that something has been done already to put it into a state of defence, and that it is stronger than they had supposed. It appears, however, that a great deal remains to be done, and that it would take two or three months of very hard work to finish what is necessary. As I have already told your Highness, the English Government would be willing to help with a sum of money for the accomplishment of this object; but it will be really necessary that Your Highness should permit our engineer and artillery officers, in conjunction with the officers of your own army, to superintend the progress of the operations, and more especially the choosing of correct positions for the guns a matter on which so much depends. I have given Colonel Ridgeway a credit of four lakhs of rupees, which he has orders to place at the disposal of your officers as the work goes on. Your Highness will, however, perceive that I cannot authorize him to hand over this money without knowing exactly how it is spent and Your officers should therefore have instructions to consult him and be guided by his advice in all particulars. They should furnish him with detailed accounts, and they should give him special opportunities of satisfying himself that the inhabitants of Herat are properly compensated for any destruction or depreciation of property which may prove to be unavoidable. Unless this is done there will be much suffering and discontent and I need not point out to you that in your own interests this would be very undesirable.

In connection with the question of fortifying Herat, there is another matter to which I must direct your attention I hope the boundaries of the Herat province will soon be satisfactorily defined, and that hereafter there will be no room for

misunderstanding with regard to this portion of your frontier. But until the new arrangements have been brought into thorough working order, occasions of dispute are likely to arise between your border officials and those of the Russians; audit will be necessary on this account that for a time at least one or two British officers, of whom one might be a Doctor, should remain within reach after the departure of the Commission. Your Highness stated at Rawal Pindi that you had no objection to this proposal, and I should like to inform Colonel Ridgeway that he may act accordingly, and that you have issued the necessary instructions to your Governor. I think the officers left should be free to move along the border, and that they should not be expected to remain in any particular spot longer than they may consider desirable.

And now I propose to give you a fresh proof of my confidence and good will by sending you a further sum of 10 lakhs of rupees. This, in conjunction with the 10 lacs you have already received, will make up 20 lacs, exclusive of the four which are to be placed at the disposal of Colonel Ridgeway. If war breaks out more will be forthcoming. Meanwhile, I would call Your Highness's attention to the fact that one of the great dangers of the present position lies in the absence of roads and communications which would enable us to come rapidly to your assistance if you were attacked on your northern frontier. You should never lose sight of the importance of this point, and in particular I think you should endeavour, as soon as possible, to establish a line of telegraph between Kabul and India. It is very unsatisfactory having to discuss these important questions, which ought to be settled with the utmost despatch, by means of letters which take nearly a month before they can be sent and received by either of us in turn. It would be a great advantage to Your Highness to have accurate and immediate intelligence of what is passing in the outside world. If a telegraph were established, your own agents could duly supply you with the news of the day, and I could learn your wishes and reply to them in the course of few hours.

Before I conclude, let me again say a few words to you as a private friend. It is perhaps natural that the Afghans should

be suspicious of a powerful neighbour with whom they have more than once been at war; but I trust that if you ever shared their suspicions you do so no longer. I am in hopes that you will have returned home with the conviction not only that we desire to be friends with you and with the Afghan nation but that our interests are coincident, and that you have everything to hope and nothing to fear from us. You have before you the possibility of performing a great work, and if you are equal to the occasion, you will have fame and glory. With England for your friend, you will be able to weld together into one united nation the Afghan tribes which have hitherto been divided, and to advance their progress in civilization, in agriculture, in manufacturing industry, and in the arts of peace. At the same time your military knowledge and experience will enable you to furnish forth a disciplined army in substitution for the brave but disorganized native levies of former days. The more you strengthen yourself the better we shall be pleased, for there is nothing in your country or beyond it of which we can possibly desire to possess ourselves. But in order to attain these objects, it will be wise for you to get rid of the jealousy which entertained by your people of their English neighbours, and by promoting intercourse between your subjects and the subjects of Her Majesty, to generate a friendly feeling between them. Until such a feeling exists, it is impossible for the British Government to help you effectually against foreign aggression. This must be evident to the Russians; and the belief that united action on the part of the English and Afghans will be prevented by their mutual distrust can only have the effect of encouraging the Russian officers to encroach upon your rights.

I hope you will lay these things to heart. They are said to you as from a friend. Remember that if Herat falls it means the loss of all Afghan Turkistan, and possibly the collapse of the Afghan power as an independent nation.

V

For. Department

Secret-F. Pros.

January 1885.

No. 117-160.

Subject :—Afghan Boundary commission. Despatches to Secretary of State: (1) Arrival of the Mission at Bala Murghab their proceedings, (2) Proclamation issued to the people of Herat by the Amir (3) Payment for supplies to the Mission (4) Russian designs of Afghan territory.

‘SECRET’

Translation of a copy of a letter from His Highness the Amir of Afghanistan and its Dependencies, to the address of his agent General Amir Ahmad Khan, dated 23rd Safer 1302 H. corresponding to 12th December 1884.

After compliments—Herewith I enclose you an extract from a Russian newspaper, which I have received from Tashkand. Submit it to the British authorities, so that they may be acquainted with the ideas and views of the Russians, and that they may know how they pretend to pity the condition of the people of Afghanistan. Their pitying seems to indicate their regret at our having found out in time their chicanery and deceit, at our having taken measures to guard our frontiers, and at our having cultivated sincere friendship with the illustrious British Government; otherwise, there is no other reason for their anxiety, and as they are not the friends of the Afghan nation, it is inconceivable why they should pity it. When one's enemy says that he pities one, a wise man understands from this that it is not that pity, which is synonymous with sympathy, but it is the one which is a synonym for envy, because our enemies cannot bear to see our affairs in good order. I think it necessary to send the extract alluded to above

at this time when the two Governments are discussing matters relating to the frontiers.

Further, Ali Khanoff has recently visited the border of Panjdeh accompanied by 300 troopers, with the object of advancing on and occupying Panjdeh in case he did not find any one there, but finding the garrison established there, vigilant and prepared to oppose him, and as the people of Panjdeh also did not show any inclination towards him, he wrote, while smarting under the pain of disappointment, a letter to General Ghaus-ud-Din Khan, the Commandant of the Garrison, who sent him a very manly (bold) answer. I forward herewith copies of both the letters to you. Submit them to the glorious British authorities, so that they may know how nasty the Russian tricks and intrigues are. If they get an opportunity they will accord to the Afghans a treatment, the severity of which can be better imagined than described. It is to be wondered at that they talk and act in this manner at this juncture when the British Commissioners are on the frontier busy examining the boundaries and are so much interested in the matter. The British authorities can imagine how they (the Russians) behaved before this and how they will act hereafter, and what the state of things will be if the question of the frontiers is not properly and satisfactorily settled. What I mean by all this is that the representatives of the illustrious British Government should press on General Lumsden the great necessity of a satisfactory settlement of the matter, for if it is not so settled, and proper measures are not taken, it is not unlikely that causes for disagreement and collusion between the Russian and my frontier officers will always arise. Now that they (the British authorities) have taken the matter in hand, it is incumbent on them to remedy the evil which stares me in the face, as an opportunity like this will not occur again.

'SECRET'

Translation of Extracts from the Tashkand Gazette.

There is a talk in some circles in St. Petersburg that the Government of Amir Abdur Rahman Khan is on friendly terms with the British Government. We pity the condition of the Afghans very much. The Amir prides himself on his friendship with the British Government, which is on amicable terms with us. The reason why we pity the Afghans is because that if any power will ever ruin them, it will be the British Government which will do so by means of its stratagems and artifices. The British Government is not a shrine by visiting which patients will shake off their diseases. The British Government is the Government which could not cope with the Afghans, and so it is inconceivable why the Afghan Government has allied itself with that Government. The Amir might be perhaps thinking of fighting with Russia, but the Turkish Government, which was more powerful, could not make a stand against us. If we ever go to war, it will be against the British. If we should fight the Afghans, we should fight them somewhere near Merve. The Amir is proud because the British Government have sent a Mission to the Frontiers of Afghanistan and Persia, which, he thinks, will make Russia give up the country she has occupied, but she will never do so. We will fight the British and the Afghans in the neighbourhood of Merve. We feel pity for the Afghans, because the Afghan Government will get ruined through the trickery of the British. The Amir Abdur Rahman Khan forgets the hospitality and friendship which we showed to him a few years ago. We treated him with consideration, in the hope that when he returned to Afghanistan, he would secure for us the goodwill of the Afghans.

We hear that the Amir of Afghanistan has friendship with the British Government which gives him a subsidy, and that he applies to that Government for arms, &c. But our country can supply to the Amir anything, which he may stand in need of, at lower prices. If the Amir should want skilled workmen we could supply him with any number of them men who could work both with the hand and by machines. You (Afghans)

have an enemy who is an archenemy not only of your nation, but of the whole Mussulman world. The Amirs exhortations to the people will produce no effect upon them, in the same manner as when our country was in a savage state the admonition given by our Emperors to the people bore no fruit. This state of things continued till the time of Sultan Mahmud, when our Emperor collected men of different persuasions, such as Mussulmans, Christians, &c. round him. They emulated each other, and every one of them tried to distinguish himself by rendering conspicuous services to Government, and thus our country gained strength. On account of the advance of Russia, Persia has pushed her frontiers further towards Afghanistan. The Persian Government exults over the impending overthrow of the Afghan Government by Russia, for Persia was defeated whenever she took up arms against Russia. The Amir cannot cope with her in any case. If the Amir continues treating his subjects in this manner he could only last a few years more.

'SECRET'

Translation of a copy of a letter from Major Ali Khanoff, Russian Governor of Merve, to the address of General Ghausud-din Khan, Commandant of the Panjdeh Garrison (without date).

Having heard that you were the Afghan General, who held the reins of the Government of Panjdeh in your hand, I looked upon you as my equal and, in pursuance of the General's orders, I came to see you, so that we might discuss certain important political matters, for such is the practice of our Government. But you kept me waiting, and through fear of your life you considered me your enemy. Whereas I came as an envoy, I intended to alight at Pul-i-Khishti, but before we got to that place, we halted in the Maidan; and from mid-day till night-fall I expected you to come and discuss matters but you did not come. You told lies and through fear you did not venture to come. As I have now given up all hopes of your coming to see me, I will communicate to you the orders of the General and close the discussion. They are as follows :—

Prior to the occupation of Merve by the Russian troops there was not a single Afghan official at Panjdeh. But as soon as we occupied Merve you entered Panjdeh. We have recently heard that your soldiers set foot in this direction visit Imam (Hazrat-i-Imam). The surveyors of the two illustrious Governments will shortly divide this country and demarcate the boundaries; and, until the frontiers have been defined and settled, your soldiers should not set foot on Russian soil beyond Toshan. Our soldiers, too, shall not pass beyond Aimak Sould you, disregarding this, advance a single step, our troops will march to Pul-i-Khishti and then Heaven knows what will happen. But you must remember it is all your own fault. You should inform your superiors of what I have written to you.

Further you sent Alam Khan with a message that you would come to see me at sunrise, but you did not come, and kept me waiting three hours. You are a liar.

VI

For. Department Secret-F. May 1885. No. 760-787.

Subject:—Visit of the Amir of Afghanistan to India. His Highness's conduct, character, &c. Interviews of British officer with His Highness. Grant of Money and arms to His Highness.

'SECRET'

No. 69. dated Simla the 4th May 1885.

From :—The Government of India.

To :—The Secretary of State for India.

1. We have the honor to submit, for the information of Her Majesty's Government, a brief report upon the visit of His Highness the Amir of Afghanistan to India.

2. Your Lordship is already aware of the circumstances under which the Amir was invited to Rawalpindi, and it will not be necessary for us to revert to them in the present despatch. We shall therefore confine ourselves to the submission of certain memoranda which will show the course of the conferences between the Amir and His Excellency the Viceroy, the state of His Highness's health, the ceremonial observed at his reception in Rawalpindi and elsewhere, and the impressions of his character and conduct formed during his stay in British territory,

3. The conclusions which were arrived at in the course of His Highness's visit may be summed up as follows. His Highness appeared to be fully conscious of the expediency of averting war with Russia, and with this object he declared his willingness to accept any frontier between the Hari-Rud and the Murghab, which might be laid down by the British Government on his behalf. Provided that Maruchak, Gulran,

and the Zulfikar Passes remained in his possession. If unfortunately war proved to be inevitable, he did not ask or desire that British troops should, in the first instance at least, cross the Afghan frontier for the purpose of repelling a Russia invasion; but he declared his determination to resist to the utmost of his power any occupation of his territory, and he asked for help in arms and money to enable him to do so with effect. He was promised some heavy guns for the fortification of Herat, and was informed that in case of war the Viceroy would send him 10,000 breech-loading rifles, and would take into consideration the question of affording him some assistance in money for the equipment and maintenance of his troops. He was presented at the time with an elephant battery of four heavy guns and two howitzers, a mountain battery, and 5,000 Snider rifles. The Amir further intimated his intention to prepare the way for the advance of a British Army, if such an advance should hereafter at any time be considered desirable by the British Government; and he gave the Viceroy to understand that in that case he would afford every assistance in his power by the collection of supplies and transport. His Highness did not seem inclined to accept the active aid of our engineer officers in fortifying Herat, fearing lest complications should arise from their presence among his troops; but in the event of a Russian attack he expressed a desire that two officers should enter the city, and it may be added that he examined with great care the plans and proposals for the improvement of the defences of Herat which were shown to him at Rawalpindi, and seemed determined with great care the plans and proposals for the improvement of the defences of Herat which were shown to him at Rawalpindi, and seemed determined to adopt them. On the whole it appears to be clear that His Highness is prepared to make considerable sacrifices in order to avoid war, but that if war is forced upon him he will offer such resistance as may be in his power, and that if seriously worsted in the conflict, he may hereafter turn to the British Government for active military aid. The Amir did not ask for an increase of his subsidy, or for any present in money, except in the event of his being compelled to go to

war. He expressed no wish for the conclusion of a formal agreement, nor did he refer to the question of a dynastic guarantee. He seemed thoroughly pleased with all the arrangements for his reception, and he gave the impression of being a strong and self-reliant ruler, and personally well-disposed towards a close and practical alliance with England.

4. Your Lordship will observe from the enclosed memorandum by Surgeon-Major Roe that the state of His Highness's health is precarious, and we may add that in Dr. Roe's opinion his life seems unlikely to be prolonged for many years.

5. We trust that our proceedings on this important occasion may meet with the approval of Her Majesty's Government. Although it has not been found possible to organize any satisfactory scheme for the immediate defence of Afghanistan in case of aggression, yet the position has been to a great extent cleared of uncertainty, and the obligations of the British Government have in no way been increased. At the same time there is reason to hope that the Amir has left India with a firm conviction of the good-will of the British Government towards Afghanistan, and he has announced in the most public manner his determination to adhere to the British alliance.

No. 71

(Secret-F)

dated Simla, the 4th May 1885.

From—The Government of India.

To—The Secretary of State for India.

In continuation of our Secret Despatch No. 69 of this date, we have the honor to enclose, for the information of Her Majesty's Government, a copy of a letter addressed by the Amir of Afghanistan to His Excellency the Viceroy, together with His Excellency's reply. We also enclose extracts from some reports of conversations which took place between the Amir and the British officers, who accompanied him during His Highness's journey from Rawalpindi to the Afghan frontier.

2. Your Lordship will have observed from the papers enclosed in our former despatch that, although certain arrangements were made at Rawalpindi with regard to the supply of breech-loaders for the Afghan troops in case of war, and with regard to the despatch of guns for the fortification of Herat, the question of a grant of money was for the time deferred. The subject was touched upon by the Amir in the course of his conferences with His Excellency the Viceroy, but His Highness's views in this respect were not embodied in an definite proposal. Nevertheless, it is evident that, if Afghanistan were seriously attacked, the Amir would hardly be expected to refrain from asking us to supplement the meagre resources of his own country by pecuniary assistance; and it was recognised at the time that such a request on his part must be regarded as reasonable.

3. His Highness has now formally applied for a grant of ten lakhs of rupees to be delivered at Kandahar, and we have considered it advisable to comply with his request. It is true that war has not yet broken out, but the intelligence which we are daily receiving from Europe and from the Afghan frontier seems to show that war is imminent, and that the declaration of hostilities would be immediately followed by

Russian invasion of Afghanistan. If therefore the Amir can reasonably expect to receive pecuniary assistance from the Indian revenues in the event of the invasion of his territory, it seems to us that the time has now come when he may fairly call upon us to render that assistance.

4. Your Lordship is aware that, when the Amir, Abdur Rahaman came to the throne in 1880, the Government of India undertook to assist His Highness against unprovoked aggression, provided he should follow our advice in regard to his external relations. The undertaking was expressed in very guarded terms and we reserved to ourselves the power of deciding to what, extent and in what form our aid should be afforded. But it appears to us that, under existing conditions, there can be only one conclusion on this point. The Amir is now threatened by a powerful enemy, and the resources of his country are not sufficient to enable him to offer an effective resistance, while he has been precluded by his understanding with us from making such terms for himself as might have had some appearance of advantage. Under these circumstances we consider that we are bound in honor to place a liberal construction upon our engagements, and to extend to him our firm and ungrudging support in his present difficulties. It is not the desire of Her Majesty's Government that a British force should be sent into Afghanistan, and the Afghans themselves would prefer for the present that this course should not be pursued. Therefore, as it seems to us, the only way in which we can fulfil our obligations is by supplying the Amir with arm and, to a reasonable extent, with money, for the equipment and maintenance of his troops

5. We are ofcourse aware that by so doing we expose ourselves to a certain amount of risk. The money may be misapplied, and it is possible to conceive circumstances in which the possession by the Afghans of arms of precision might prove to be directly contrary to British interests. But this risk must in our opinion be faced, unless we are prepared to draw back from our engagements, and to incur the reproach of having deserted the Afghans at a time of great difficulty and danger.

6. It may be added that, if we can succeed by this means in gaining the confidence of the Afghan nation, and in enabling them to offer a determined resistance to the invasion of their country, we shall have secured a very material advantage at a comparatively trifling cost to ourselves. The maintenance of a single British Division in the field across the Afghan frontier would entail a far more serious expenditure than we are likely to incur by the most liberal response to the Amīr's requests.

7. Having regard to all these considerations, we have determined to send at once ten lakhs of rupees to the Afghan border near Kandahar, and also to supply the Amīr with twenty thousand breech-loading rifles. We hope therefore that before many weeks, the Afghans will have in their possession a considerable number of heavy guns, nearly thirty thousand breech-loaders, and funds sufficient for their present necessities.

8. We trust that our views in this matter may be approved by Her Majesty's Government and that even if war should not occur, the results of our action may prove to be beneficial in the future.

VII

For. Deptt.

Sec-E.

Oct. 1885, Nos. 1-23

'SECRET'

Memorandum of Mr. Coleman Macaulay, Finance Secretary to the Government of Bengal, British India addressed to Lord Randolph Churchill, Secretary of State for India, London.

I Understand that it is not necessary for me to say anything here to prove that it is desirable that we should open up communications with Tibet.

The commercial question is discussed in my memorandum of 19th January and a glance at the map, which accompanies the memorandum, will show at once that Darjeeling is the natural outlet and inlet for the trade of Tibet and Southern Mongolia. The scientific and political advantages of establishing friendly relations with Tibet are obvious enough. We know practically nothing, beyond general report of the geology, the botany or the zoology of a country of which the frontier is visible from the station of Darjeeling. At two points, Lhasa and Shigatse, which are both nearer in point of distance to Darjeeling than Calcutta is, which are separated from it by no pass of difficulty, and which are connected with it, on our side of the frontier by an excellent road, and on the other side of the frontier by fair paths, live the two great Pontiffs of the Buddhist Church, who exercise boundless influence over the wild tribes of Central Asia, an influence so great that the present dynasty of China had to conciliate it in order to secure its own existence; but who from the time of Warren Hastings till a few years ago were to us mere meenbo jumbos, of whom we know as little as we did about the man in the moon. For the greater part of a century our attitude was, first, one of ignorance, then one of apathy. At best our policy was a policy of half indifferent expectation. We were waiting

on the bank till the river should run past. We were waiting till the wall of Chinese obstruction should fall as fell the walls of Jericho. Some years ago a wiser policy began to find favour. The importance of opening up relations with Tibet was referred to in despatches both from the Marquis of Salisbury and from the Duke of Argyll, and the attention of our Minister at Peking was directed to the matter. Now, I am glad to say, a definite policy of activity commends itself both to the Government of India and to the Home Government. In preparing this memorandum at Lord Randolph Churchill's desire, I understand that what is required is merely a sketch of the steps which, in my opinion, should be taken to carry out the measures proposed in my memorandum and in Sir Rivers Thompson's minute upon it.

I desire to promise my remarks by repeating what I said to Lord Randolph Churchill in conversation. I am aware that Lord Dufferin is personally anxious to promote this scheme; but since I arrived in England, I have received an intimation from Mr. Durand, Foreign Secretary to the Government of India, that, though the proposals have been considered by the Viceroy in Council, it has been decided to postpone action upon them, pending the settlement of the complications in Afghanistan and the removal of the financial pressure which those complications have induced. I should wish it therefore to be clearly understood that I make these proposals on the assumption that, before they can be carried out, the financial objection which I understand to be the only one, will have ceased to exist.

Our proposals in regard to Tibet are briefly :—

- (1) to send a mission to Lhasa to endeavour to effect a treaty of commerce with the Lhasa Government and the Chinese Imperial Commissioners;
or if this is impossible,
- (2) to send a mission to Shigate, to congratulate the young Tashi Lama on his instalment;
or, if this is also impossible,
- (3) to obtain a declaration under the seal of the Emperor of China, that the exclusion of Indian traders from Tibet, and

all destructions on commerce though the Sikkim passes, are displeasing to the Imperial Government.

In order to effect any of these objects, Sir Rivers Thompson considers that a Special Commission should be deputed to Peking to explain the whole case to our Minister and to seek through him to obtain the maximum concession procurable.

I will take first the proposals relating to Tibet:—

(1) The main proposal is the despatch of a political scientific and commercial mission to Lhasa, the capital of Tibet, and the residence of the Dalai Lama, and also of the two Chinese Ambassadors, or Commissioners who are sent from Peking for the double purpose of protecting him against violence from his own ministers and controlling the foreign relations of his Government. The Envoy to Lhasa should have power to confer with the Ambassadors and the Lhasa Government on the free admission of Indian traders to Tibet, and the removal of the obstructions on the trade through Sikkim and Darjeeling, and to execute a treaty of commerce. The functions of the scientific and commercial sections used to need not to be detailed. It is necessary once for all to recognize that such a mission must be comparatively a costly one. The prestige of the Indian Government as the conquerors and rulers of the vast and rich country of India, is very high to Tibet, and it would be a fatal mistake to lower it by injudicious economy. The Lhasa Government are accustomed to a good deal of splendour in connection with the periodical embassies from Cashmere and Nepal, and the Ambassadors have very large allowances and retinues, and habitually display such profusion and magnificence. The Indian envoy should have a suitable equipage and escort, and seeing that Tibet is in every way, commercially, scientifically and politically of much greater importance to India than Yarkand, I think his staff of officers should certainly not be smaller than that which accomplished Sir Douglas Forsyth. The more easily part of the proceedings, however, would be the provision of present is an institution which pervades every rank and enters into every form of social intercourse in Tibet. The record of the visits of great men to its cities and monasteries is one continuous story of

costly gifts of this Governor or that about, the alms they gave to the troops of beggars and the allowances they made to the thousands of monks. It would be necessary to give valuable presents from the Viceroy to the Dalai Lama, to the great officers of his staff, spiritual and personal, to the Amlas, to the Gesub (or Begant) to the four kahlans for councillors, to the abbots of the ten or twelve great monasteries of Lhasa and of others, and minor presents to local officers on the line of march. It would also be necessary to deal liberally with the monks, who can be powerful friends and very turbulent and disagreement foes, and when I say that they number 22,000 in Lhasa and its neighbourhood alone, it will be seen that the sum required will not be trifling. I may mention in this connection that a monk of I think the Choghaiki monastery has come of late years to be recognized as an oracle. He is consulted on all great State questions, and he is believed to have given solemn warnings against Russia. He has never declared himself in favour of relations with us, but he has said that the "Ingles" are a much better people than the "Urus". I have no doubt that an envoy who showed a due appreciation of the sanctity of this personage, could convince him that intercourse with us would be open to no objection. I have entered into so much detail on the question of expense because I wish it to be understood that an officer entrusted with such a mission and bound to parsimony would fail in his object and discredit his Government. It would be better to leave the thing undone than to do it cheaply. I estimate roughly that the cost would be between 3 and 4 lakhs of rupees.

(2) The mission to Lhasa should be our great object. The reception there of an Ambassador from a Christian power would be an event without precedent in the history of Tibet, and it could not fail to produce most important results throughout Central Asia. But if for any reason, such a mission cannot be sent, there is a smaller enterprise which might pave the way to the accomplishment of the longer measure. Shigatse is the capital of the Western Province of Tsang, as Lhasa is the capital of the Eastern Province of "Urus", and

close to Shigatsi is the great sanctuary of Tashi Lunpo, where the Tashi Lama (or Penchen Rimboochay), the spiritual brother of the Dalai Lama (or Gyow Rimboochay), resides. It was to the Tashi Lama of the time that Warren Hastings sent Bolle as envoy. On the death of this Tashi Lama, and the receipt of the news of his re-incarnation, Warren Hastings sent Turner's present his felicitations to the infant. This infant died at a ripe of old age about 1850, and his successor, who received Baboo Sarat Chandra Das, when he visited Tashi Lunpo as a Southern Buddhist in 1879 and 1882, died in August 1882. I made it one of the objects of my visit to the frontier of Tsang last November to ascertain whether his incarnation had appeared, and the minister, who exercises his spiritual functions during his minority, in the letters which he sent to Lord Dufferin and to me in answer to the letter I sent in from the Frontier, informed us that the cold has been found. The ceremonies connected with his formal identification are being conducted at Lhasa this month, and he will be formally installed in the sanctuary of Tashi Lunpo by the Dalai Lama and the Amba some time during the next twelve months. The minister's letter announcing the incarnation of the 16 Tashi Lama in 1884 is a precise parallel to the letter of the Regent announcing the incarnation of the 14 in 1782 and a mission of congratulation sent during the next few months to Tashi Lunpo would be a precise parallel to Turner's mission. Warren Hastings, it will be observed, had no permission from China to send in Bogle's and Turner's mission; but, as I have explained in my memorandum, it was only after their war with the Nepalese in 1792 that the Chinese assumed the absolute control of the Tibetan frontier and excluded all British subjects. At the same time I think the Chinese would probably agree to the despatch of such a mission, even if they refused to follow a mission to be sent to Lhasa. The Penchen Rimboochy, of Penchen Lrtinni as he is there called, is an object of special reverence in China. The Tibetans, who are great followers of "customs", would readily recognize the precedent, and they would certainly appreciate the compliment to the Grand Lama whom they venerate so profoundly.

The opportunity of the mission might be taken to send presents to the Lhasa authorities and to the Chinese Ambassadors. It might even be possible to arrange for a meeting with the Ambassadors and some members of the Government at Gyantse, which lies on one of the routes from Darjeeling to Shigatse. I am, however, very doubtful of the expediency of this. The cost would be considerable, and the results could not be as satisfactory as would be attained at Lhasa. A man of inferior rank might be sent, and complications of various kinds might arise. I am inclined to think that if we cannot have a regular mission to Lhasa, we should have a smaller mission to Shigatse which would have nothing to do with the Lhasa authorities beyond sending them presents and exchanging communications of courtesy. An envoy to Shigatse should have a moderate escort, and he should certainly be accompanied by scientific officers. The cost of such a mission would probably be about a lakh and-a-half of rupees.

(3) Finally, if neither of these missions can be sent, we should endeavour to procure a declaration under the seal of the Court of Peking that obstructions to trade, and to the admission of Indian traders, by the Sikkim passes and displeasing to the Emperor. I was confronted at three passes in 1877, with a board bearing an inscription, to which the Imperial seal was attached, interdicting the passage of foreigners, and the Tongpen of Kamba informed me last November that the Emperor's orders whatever they might be would be implicitly obeyed on the frontier. No doubt such a declaration would strengthen our hands; but I question if it would avail much against the influence of Lhasa of the Nepalese and the trading monks. The mission to Shigatse would at least prepare the minds of the Tibetans for a mission to Lhasa, a declaration from the Emperor would not have even this effect, and I regard the despatch of a formal mission to Lhasa as the ultimate action without which no material alteration in our relations will be effected. Even a mission to Shigatse could make at best but a rift in the flood gates, they will only be opened to the free stream of trade, of science and of political influence by an envoy who can conclude a treaty at the capital.

No one of the three proposals detailed above can be carried into effect without the cooperation of China. This is of course obvious with the reference to the third; but, with reference to the first and second also, I am convinced that the more thoroughly we recognize the authority which the steady pursuance of her own policy of a protectorate of the Grand Lama, and the events of the last century (detailed in my memorandum) have enabled China to assume over Tibet, the better will be our chance of success. The terms of the Treaty of 1856 between Tibet and Nepal, the account given by Baboo Sarat Chandra Dass in his last report and all that we who have visited the passes have seen and heard make it clear that the power of China is paramount in Tibet, and that we can be everything with her co-operation and nothing without it. Our record shows that Sir Thomas Wade never lost an opportunity of pressing upon the Chinese Government our claim to some sort of intercourse with Tibet, and the special article in the Chefoo Convention shows how far he was able to carry the negotiations, I understand that the ratification of all as a part of this convention is imminent. But I venture to think that something more definite than this article is required. Unless the Chinese co-operate with as cordially and frankly, no mission will be successful. It is well known that Colonel Prejevalsky was recently stopped in the province of Kham, is in North-East Tibet by the opposition of monks from Lhasa, actually fomented by the Chinese Commissioner who had been deputed to escort him. Sir Rivers Thompson considers that we are more likely to secure the cordial co-operation of the Chinese Government if an officer who is conversant with the requirements of the case and with the recent history and present position of affairs in Tibet, is deputed to Peking to assist our minister in the conduct of the negotiations. If I may presume to refer to a question of Imperial politics I would suggest that, if the Chinese have made overtures for a special alliance, an excellent opportunity would be presented for settling once for all the questions of free trade and intercourse (except in regard to the indiscriminate admission of Europeans, against which I have shown cause in my memorandum) between India and Tibet. Our political influence in

Central Asia would receive an enormous accession if, all misunderstanding and jealousy being removed, a British envoy and the Chinese Imperial Commissioner were to meet at the Court of the Dalai Lama on cordial terms as the representatives of two great empires of Asia in alliance. From these considerations it might perhaps be well if a Special Commission deputed on such duty, as Sir Rivers Thompson contemplates, were accredited from the Secretary of State for Foreign Affairs, as well as from the Secretary of State for India. It may be that this would be in any case the official course. I am not qualified to judge whether it would even be necessary. I only mention the point as Lord Randolph Churchill desired me to refer to the question of credentials. The officer deputed should be informed how far Government would be prepared to go in regard to proposals (1), (2), or (3) so that there would be no doubt that any measure to which he might be able to obtain sanction of Peking would be carried out. The expense of such a deputation would be limited to the salary and actual expenses for passage, &c. of the officer and a servant, and the salary and expenses of Baboo Sarat Chandra Dass, whose intimate acquaintance with the language, politics and religion of Tibet would render his assistance on the deputation of the greatest value.

(Sd.) COLMAN MACAULAY.

1st July 1885.

(P.G.)

VII

For. Deptt.

Secret E.

Oct. 1885, Nos. 1-23

K.W. No. 3

Demi-Official

Dated India office, 7th August, 1885.

From:—Colonel Sir O.T. Burne, K.C.S.I.,

To:—H.M. Durand, Esq., C.S.I.

You will see by a despatch which goes today that Mr. Colman Macaulay has been authorised to start for Peking by the mail of the 21st instant, and that he has been told he will receive from the Viceroy any instructions His Excellency may think necessary. These I suppose will be sent to meet him at Colombo or after him to Peking.

Both Lord Randolph Churchill and Lord Salisbury attach great importance to the success of his mission with the Chinese authorities, and to the despatch hereafter of a properly equipped mission to Lhasa. Great interest is being also shown just now in the question by commercial bodies in this country, but in our replies to various memorials that have been received we have limited ourselves to sympathetic expressions without disclosing what is in contemplation.

Mr. Macaulay will have a letter to our Minister at Peking whom it will be his first duty to advise. The Chinese Ambassadors will also write to the Yamen, advising them privately, with his own recommendation, of the mission. Beyond this he will have no credentials from us, as we think it better that anything thought to be necessary should emanate from Lord Dufferin who, we are sure, will do everything possible to support him in carrying the mission through.

Mr. Macaulay has been given to understand that he will be allowed to draw his Indian pay from the day he starts from England; and an advance of £500 will be made to him on this account. His travelling expenses for the outward journey will also be advanced to him in the above sum.

Should he fail to get what is wanted from the Chinese Government, he ought, we think, to be allowed to return to England on the same terms to resume his furlough, visiting India, however, enroute to report to you the results of his mission. Should he succeed, it would still be as well, we think, that he should return to England after conferring with you, in order to obtain a letter from Her Majesty to the Dalai Lama, and to arrange for the presents which must be taken. Apparently he will be able to reach Peking about the first week in October, the negotiations will probably take some weeks, and it is doubtful whether the Chinese Government would despatch their instructions to the Ambassadors and the Lhasa Government before the 1st December. The journey from Peking to Lhasa takes, I understand, about three months. Allowing for the delays which are sure to be considered essential to the dignity of these people, I cannot see any likelihood of the necessary preparations to receive the party, as it should be received, at the frontier, being completed in time to admit of the mission starting from Darjeeling the 1st April next, so that Mr. Macaulay's return to England will not entail any real loss of time. All this, however, will be for you to decide.

VIII

Foreign Department. Secret E. Progs. Nos 473-502.
January, 1886.

Subject:—Passport granted by Chinese Government for
British Mission to Tibet. Deputation of Mr. Warry,
a Chinese scholar, to accompany the Mission.

Page No. 3 Demi-Official

Dated Peking, 3rd November 1885.

From:—C. Macaulay, Esq.,

To:—H.M. Durand, Esq., C. S. I.

Our interview with the Ministers was generally satisfactory. They agreed to issue the passports without further parley. As regards the instructions to the Ampa, they now said it would be contrary to etiquette, as well as useless for practical purposes, to give us copies of them, but that they would let us see them before they were despatched, while they promised to give the most careful consideration to a memorandum, to be drawn up by me, regarding the points on which the Ampa should be specially addressed. In that memorandum (which we sent in on Friday, 29th ultimo), besides giving a sketch of the general policy to be dictated to the Ampa, and through him to the Tibetan Government, I suggested the immediate issue by him of proclamation at the frontier, and in the chief towns declaring that the prohibition of intercourse with India and of the entry of British subjects into Tibet is contrary to the wishes of the Chinese Government. We have as yet had no further communication from the Yamen. I shall be disposed to close now with the best terms we can secure at our next meeting, and get the passports and letter to the Ampa *en regle* without further delay. They said nothing about Burma at our last interview, but as you know they are showing

a little uncasiness on the subject, and I shall be glad to get my business settled favourably before any official communications take place about other matters. If we had a little more time, I think we might have done even better about Tibet, as they are decidedly peering; but after all, unless the Burma matter makes them sulky before next meeting, we shall have gained all that is really essential for present purposes.

I was very sorry to see that foolish and most inaccurate article by Mr. Lepper in the Nineteenth Century. Knowles told me that he had an article in his desk for a long time, and that he would publish it as a sort of introduction to mine. I wish I had seen it before it appeared. I have arranged with Knowles that I am not to write for him till our negotiations with China are concluded.

I hope I may be able to get away by next mail, but I am not very sanguine. Of course I will not move till we have settled everything as well as we can.

Peking.

Dated 10th November 1885.

From—C. Macaulay, Esq.,

To—H. M. Durand, Esq., C. S. I.

We had a very satisfactory interview with the Yamen the day before yesterday, which has practically settled my business. The Prince Ching, the Grand Secretary Yen, and the Governor of Peking were there, and they not only accepted our draft of the passport, which is full and refers explicitly to "Lhasa" while leaving blanks for the names of the members of the Mission and the number of followers, but also promised to embody in their letter to the Ampa the whole of our amendments and additions to their draft instructions to him and "to write more to the same effect". I should mention that they had furnished us with a draft of the instructions they proposed to issue after considering my memorandum. This draft, though it directed the Ampa to hold preliminary consultation with the Mission about trade, was not sufficiently explicit about the policy of the Chinese Government, and said nothing about proclamations. We therefore made additions and amendments which practically include all that I proposed; and the draft so altered has been accepted in full. It declares that "the Mission is sent to establish relations of amity and to promote commercial intercourse between India and Tibet", and it directs him to "issue proclamations at the frontier, and elsewhere if necessary, in order to remove any suspicion that the Chinese Government is unfavorable to the entry of British subjects into Tibet".

We hope to have the passport in proper form by the end of the week; and I shall leave by next mail. It is already freezing hard, and I shall have to go by road to Tientsin.

From Her Majesty's Charge D' Affairs.

Peking, No. 45.

Dated 16th November 1885.

With reference to his telegram of the 15th November, forwards copy of papers relating to Mr. Macaulay's Mission to Tibet, and communicates remarks.

Secretary

This letter announces the successful issue of the negotiations regarding the Bengal-Tibet Mission. We have already been informed of this result by Mr. O' Conor's telegram of 15th November (in file below); and the Bengal Government has been requested (on the 25th November) to work out proposals for the despatch of the Mission. These are still under the consideration of that Government. The Charge d' Affairs at Peking recommends that the Mission should be sent off with as little delay as possible, before opposition can foment in Tibet. The Bengal Government are, however, doubtful whether the routes are open before March at earliest. Meantime they are making inquiries.

2. But while we have been fortunate in obtaining the passports and rescript, Mr. O' Conor is of opinion that the difficulties of the undertaking are far from being overcome. Both Chinese and Tibetan local influence will throw obstacles in the way of the Mission's entrance and progress. To lessen and abate these he therefore recommends that the Mission be organised on a commercial rather than on a political footing; and on its admission should remain indefinitely until matters are smoothed over, and satisfactory arrangements made for the future.

On these points we need perhaps do nothing at present until the Government has an opportunity of consulting Mr. Macaulay. To further the commercial objects of the Mission, Mr. O' Conor makes the proposal, which was repeated in his telegram of 23rd November, to attach to it one of his Consular officers. The telegraphic reply, which issued from Camp on the 25th November, avoided acceptance of that proposal. There is nothing to show whether the rejection was final, or whether the proposal was left over for further consideration.

See Secretary's note of 24th November. If the latter may be assumed, it may be discussed with Mr. Macaulay.

3. In his telegram of 14th November, Mr. O'Conor intimated that any public mention of trade negotiations being on foot would do harm. In the postscript to his present letter he explains that, if the matter became public, Russian, France, and other countries would be sure to harass China with similar demands, exciting her to more determined opposition to the entrance of our Mission. Mr. Macaulay should be specially warned to be discreet in this particular. He purposes (see his demi-official of 3rd November) contributing on the Tibetan subject to the "Reviews", though he has kindly volunteered a promise not to write till after the negotiations are concluded". The publication in England of the proposals touching the inception of the present negotiations attracted the attention and remarks of the Secretary of State.

4. For the present what appears requisite is—

- (a) to thank Mr. O'Conor on behalf of the Government of India;
- (b) to await Mr. Macaulay's arrival before taking up consideration of the organization of the Mission, or further consulting the Bengal Government;
- (c) to hasten the Bengal reply about the opening of the routes.

1st January 1886.

G. S. F.

Mr. Macaulay is, I believe, expected immediately, Print up.

2nd January 1886.

H. M. D.

Forgn. Deptt.

Sect. Nos 473-502.

January, 1886.

K.W.No. 2.

(Demi-Official)

Dated British Legation.

Pekin, the 20th October 1885.

From—C. MACAULAY, Esq.,

To—H.M. DURAND, Esq., C.S I.

I arrived here on Saturday week and found that the object of my mission had been known to the Chinese Government before I reached China, and that, influenced mainly by the counsels of the Emperor's tutor, Sung, an ex-Ampa of Lhassa, they were prepared to reject any proposals we might bring forward. I must tell you that the Marquis Tseng informed me in London that he was writing to his Government to propose that the general question of opening Tibet to trade and intercourse into India should be settled by formal treaty between Great Britain and China, the details being settled by a regulation to be drawn up at Lhassa by an envoy from India and an envoy from China. This would of-course be a wholly satisfactory settlement of the question from our point of view; but the magnitude of the proposal appears to have disturbed the Government. Li-Hung-Chang, (to whom Tseng gave me a private letter of introduction and whom I expected to see at Tientsin, the seat of his own Government), was at Peking when I arrived. At Hart's suggestion, and with Li's concurrence, it was decided that I should not call upon him at present, as any advice he might have an opportunity of giving the Yamen would have more weight if it were known that we had not been in personal communication. Li told O'Connor that the Yamen and other Ministers had bitterly reproached him for agreeing to the mission article in the Chefoo Convention. We were accordingly prepared for difficulties at our first interview with the Yamen on Saturday; but the result was by no means unsatisfactory. I will submit a memorandum of the discussion with my official report. Meanwhile here is

an outline of what occurred. When I had been formally introduced by O'Connor, and it had been explained that I had been sent to take charge of the passports to which we are entitled under the Chefoo Convention, and to lay before the Chinese Government "certain considerations regarding the state of affairs on the Tibetan frontier", they began at once to fence about Article VI. The old article required the British Government to take action to obtain the consent of other foreign powers to the Opium Agreement; the new article threw this on the Chinese Government; the German Government had refused to agree; the agreement would therefore have no effect; and the Chinese Government need not give effect to the other articles. Would the British Government not endeavour to obtain the consent of Germany? Was the convention to be carried out only on those points where Great Britain found its advantage? O'Connor pointed out that the agreement signed in June by Tseng provided absolutely that all the other articles should come into force, without reference to the fate of the opium arrangement, and he said that any further representations on the subject of that arrangement must be made by Tseng in London. At last they came to the mission article. They first urged that they had full discretion to decide, after considering "the circumstances", whether passports could properly be issued or not. They then produced a despatch from the Senior Aïmpa, so, purporting to report upon the instructions they had sent him when Carey's passports were issued. He represented that the people of Tibet were violently opposed to the admission of any Europeans into their country, and that he had received petitions signed by "all the clergy and laity of all the provinces, U. Tsang, &c.," begging that the orders requiring them to receive this Englishman might be withdrawn, as they could not undertake to obey them. The despatch went on to say that he was doing his best to soften the hearts of the "barbarians", but that he had little hope of success. Of course we know that the Chinese would have no difficulty in fomenting opposition among the Lamas at Lhassa, and there would seem to be no doubt that the opportunity of Carey's passports was taken for this propose;

but that the "laity" have moved, or that there has been any movement at all outside the Lhasa monasteries, I do not believe for a moment. The Tongpen's conversation with me in November, our correspondence with the Minister, and even Sarat's conversations with Lhasa monks' who have lately come to the Lama monastery here to teach the novices, (and who, though they know he is an Indian who has been at Lhasa, have received him with open arms and invited him to stay with them), tell a very different story. If you want to see how the Ampas "soften the hearts of the barbarians" when it suits them, look at pages 48-54 of Sarat's last report, where he describes how two Tongpens and some village headmen were flogged (one to death) for resisting the exactions of the Junior Ampa (who, by the way, is now in Pekin).

We pointed out that it must be assumed that, before asking for the passports, we also have considered the circumstances, and that we are not without some knowledge of the position of affairs in Tibet. We said that the progress of trade would inevitably render some change in the present artificial restrictions necessary, and that we believed that, with the assistance that we were entitled to expect from the Imperial Government, things could now be put upon a more satisfactory footing. We would therefore ask them, in issuing the passports to renew their instructions to the Ampa to continue to impress upon the Tibetans the necessity of curbing their animosity against foreigners, and require him to meet and take special measures to protect the mission. They rejoined that we could have no doubt of the sincerity of their desire to assist us in every way, seeing that they willingly allow Europeans to travel throughout China proper, and that when the time came for issuing the passports, they would certainly write in this sense and give us a copy of their letter; but, they added, we cannot wholly control the Tibetans, and of what use will passports and a copy of our letter to the Ampa be, if the Tibetans refuse to allow you to enter the country? I thought the time had now come to refer to the evidence of Chinese authority in the frontier restrictions. I said that I had occasion, in the course of official duty, to visit the frontier and that the Tibetan

officials had justified the prohibition against the entry of foreigners on the ground that it was the order of the Chinese Government. They replied that the Tibetans had no authority for such an assertion. But, I said, I was confronted in 1877 by a placard in Chinese characters, to which a Chinese seal was affixed. They seemed rather disconcerted by this, and one of them showed me an impression of the Imperial seal, and asked me if the placard bore such a seal. I replied that I was unable to say whether this was the case or not. They then said that the placard was probably a forgery, which the Tibetans were using to suit their own purpose. I went on to say that last year the Tibetan official who met me at the frontier, and who also referred the prohibition to Chinese authority, wore the button of a Chinese Mandarin of the 5th Class. They said that he was evidently some petty official, who wished to carry out the policy of the Tibetan Government. We answered that we were very glad to receive the assurance that the Imperial Government disapproved such proceedings, and that, as I had personal knowledge of the fact that their authority was being used as a cover for measures which they repudiated, we hoped they would issue a proclamation in Tibet and on the frontier, declaring that the restrictions on trade and intercourse were not approved by them, and would give us a copy. They said they could not do this, as no direct orders were issued by the Imperial Government within the jurisdiction of the Ampa, but that when the time came for *issuing the passports, they would write the Ampa as we had first suggested.* (We thought it well not to press this point further just then; an Imperial proclamation would of course be the best, but, if this could not ultimately be obtained, we could at any rate insist that one of the injunctions to the Ampa should be the issue of a proclamation under his seal). We then said that we should like to have the passports, and that, as regards the orders to the Ampa, I would prepare a draft of the points which we should like to have brought to his notice. They answered that they had not refused, and had no intention of refusing, the passports; but that they must first consult the Ampa, and ascertain that his measures for

pacifying the Tibetans has been effectual. O'conor replied that I had been sent to take charge of the passports to which we were entitled, and that Her Majesty's Government would be much surprised and disappointed if any difficulty or delay were made. I added that there would be ample time for their orders to reach the Ampa, and for him to take measures to carry them into ample time for their orders to reach the Ampa, and for him to take measures to carry them into effect before the mission would reach Tibet. They then said they would like to think over the matter; and the interview, which had lasted $2\frac{1}{2}$ hours, closed.

The Ministers said they would return my call, and after they have done so, we shall ask for another official interview. Meanwhile Li, who leaves for Tientisin to-day, sent a message to us yesterday to the effect that we should get the passports if we pressed for them but that it would be well to make the mission as small as possible. Sir R. Hart, to whom I mentioned this last night, says not more than a dozen Europeans would be considered a small mission.

You will thus see that we have made considerable way Sir Robert Hart, who takes much interest in the matter, and who has given me advice upon many points, thinks the negotiations are proceeding as satisfactorily as could be expected. We shall not get a treaty with China, but we shall get, besides the passports, a formal disclaimer of any objection on their part to the admission of British subjects, and orders to the Ampa to receive and support us. I hope we may get an Imperial proclamation which we may be able to use; but at any rate we shall get an order to the Ampa to issue such a proclamation in his own name. It will take some time to get all the documents settled in the terms we desire, but I hope to get away in a month. If I can leave Shanghai by 19th November, I shall be in Bombay on 13th December; if not, I shall have to wait for the mail of 3rd December reaching Bombay on the 27th.

I have only to add that O'Conor has been most cordial in the assistance he has given me.

IX

For. Deptt. -

Secret-E.

July 1886, Nos. 744-795
(Confidential)

From : COLMAN MACAULAY, Esq.,

To : The Secretary to the Government of India, Foreign
Deptt.

Calcutta, 21st January 1886.

Sir,

In your letter No. 1329-E, dated 24th August 1885, I was instructed to proceed to Peking for the purpose of negotiating with the Chinese authorities, through Her Majesty's Minister, such measures as may lead to the resumption of commercial intercourse between India and Tibet. I was desired to endeavour to secure the consent of the Chinese Government to the despatch of a British Mission to Lhasa with the object of establishing unrestricted trade between India and Tibet and securing the free admission of British subjects into Tibet. Should my negotiations on this point be successful, I was further to endeavour to procure orders sufficiently imperative to prevent the Chinese authorities at Lhasa from raising any objection, and I was also to move the Chinese Government to cause a distinct expression of the Imperial wishes to be conveyed to the Tibetan rulers. I was at the same time to endeavour to procure duplicates of such orders. In the event of my failing to obtain the consent of the Chinese Government to the despatch of the Mission to Lhasa, I was to endeavour to secure assent for a smaller mission to proceed to Tashi Lunpo with the object of promoting the friendly feeling which has long been shown to the British Government by the rulers of that province. Finally, if the objections of the Chinese authorities to the despatch of any Mission to Tibet should be found to be insuperable, I was to press them to relax the existing prohibitions on communication between Tibetans and

British subjects, and to induce them to publish a declaration under the Imperial seal, making it clear that the existing restrictions are contrary to the policy of the Chinese Government, and not enforced with its sanction.

2. I have now the honour to submit in original (translation, enclosure E) a passport for a Mission in Lhasa, and copies in Chinese (translation, enclosure B) of the orders issued by the Imperial Government of the Resident in Tibet. It will be observed that the passport contains no restriction as regards the number or nationality of the members of the Mission or as regards the duration of their stay in Tibet. The orders contain an explicit declaration, to be conveyed to the Tibetan authorities, that the objects of the Mission are to establish relations of amity and to promote commercial intercourse between India and Tibet and to convey messages of friendship and respect to the Dalai Lama at Lhasa, and the Penchen Irtinni, or Rimboochay, of Tashi Lunpo, and that in all these objects it has the concurrence and support of the Imperial Government. The Resident is ordered to assist the Mission by every means in his power. He is to arrange that any letter addressed to him by the Government of India shall be forwarded promptly from the frontier; he is to send duly qualified officers to the frontier to meet the Mission; he is to require the local authorities to protect the Mission and to treat it with courtesy; and he is to arrange that the mission and shall be furnished, on payment, with such transport and supplies as they may require and to see that no obstruction is offered or extortion practised. He is to issue proclamations at the frontier, and elsewhere if necessary, in order to remove any suspicion that the Chinese Government is unfavourable to the entry of British subjects into Tibet. Finally, he is to consider with the Mission the preliminaries of a trade convention, with the object of removing existing prohibitions against intercourse with India. In order to complete the Chain of documents, I have also procured from Mr. Hillier, Chinese Secretary of Her Majesty's Legation, a letter in Chinese purporting to be addressed by you to the Resident, informing him of the proposed date of departure of the Mission. This letter, with a key to enable you to fill in the

regarding my visit to him. The Viceroy took the same view as Sir Robert Hart, and accordingly it was arranged that I should call upon him at Tientsin on my return. At this interview Li-Hung-Chang gave Mr. O'Connor a still more gloomy account of the disposition of the Government in regard to my Mission. He reported that they were "disconcerted and perturbed;" that they had bitterly reproached him for agreeing to the separate article in the Chefoo Convention; and that the idea of obtaining any concession in regard to trade must be abandoned. The prospects were not very encouraging therefore when I paid my first formal visit to the Tsung-Li-Yamen, by appointment, on the 16th October.

5. We were accompanied by Mr. Hillier and Mr. Everard, Assistant Chinese Secretary, and were received by four of the Ministers (1) Hsti-Keng Shen, a relative of the Express, Vice-President of the Board of Punishments and Member of the Grand Council; (2) Sun-Yu-Wen, Vice-President of the Board of Works and Member of the Grand Council; (3) Hasu-Yung-I, Vice-President of the Board of Works; and (4) Hasu 'Ch'ang. His Highness the Prince of Ch'ing President of the Yamen, had unfortunately, only the day before my visit, been compelled to take leave of absence for some time on account of the illness of the Princess. Mr. O'Connor introduced me, and after the usual preliminaries, I presented the Marquis Tseng's letter, and explained that I had been sent to take charge of the passports to which we were entitled under the Chefoo Convention and to lay before the Chinese Government certain considerations regarding the state of affairs on the Tibetan frontier. The Ministers first took the ground that the Chefoo Convention was not yet in force, as the assent of the German Government to the additional article had not been obtained, and endeavoured to get Mr. O'Connor to promise to move Her Majesty's Government to procure this assent, in accordance with the arrangement contemplated in the original article. Mr. O'Connor declined to make any recommendation, and pointed out that the Marquis Tseng had agreed to the understanding that, whether the last additional article should have effect or not, the remainder of the Convention should nevertheless

remain in force. They then turned to the terms of the article. They pointed out that they were entitled to decide, after "giving due regard to the circumstances," whether passports for a British Mission to Tibet could properly be issued or not. They then produced a memorial from Se-Leng-O, the Resident in Tibet, reporting upon the instructions which had been sent to him when Mr. Carey's passports were issued. The Resident stated that, as soon as it was known that permission had been given to a European to enter Tibet, he had received petitions signed "by all the clergy and laity of all the provinces" begging that the orders requiring them to receive this foreigner might be withdrawn, as they could not undertake to obey them, that he was doing his best to soften the hearts of the "barbarians" but that he had little hope of success. The Ministers went on to say that even the Imperial messengers were at times stopped and plundered between China and Lhasa, and that a British Mission could not expect to be allowed to pass unharmed. I answered that Their Excellencies were evidently under the impression that we proposed to send a Mission by way of the Chinese frontier, i.e., "by way of Peking through Kansu and Kokonor or by way of Ssu-Chuen," as provided in the first clause of the separate article; but that this was not the case and that we did not contemplate approaching the eastern frontier of Tibet at all, where, as we know, the tribes are wild and unruly. Similarly, the objections reported by the Resident would seem to have reference to the part of Tibet which marches with Kashgar, as Mr. Carey's passports contemplated his entering Tibet from that side, if at all. We, however, proposed to enter Tibet from the Indian frontier, at a point where the people have long had some knowledge of India and of our character and policy. It must be assumed, I said, that before asking for the passports we also had considered the circumstances, and that we were not without some knowledge of the position of affairs in Tibet. I may observe that I had been advised by Sir Robert Hart not to lay too much stress on the friendly feelings of the Tibetans towards us, as he said this might arouse the suspicions of the Chinese Government. I therefore said nothing about our correspondence with the Minister of Tashi Lunpo or the information given to me at the

Kongra Lama Pass in 1884 by the Jongpen of Kamba. I merely said that the Tibetans were well aware that we, who had left Bhutan and Sikkim independent, had no designs on their country; that were anxious to trade with India; and that when the people of two adjoining countries wished to communicate together no artificial restrictions could be effectual to prevent them. Even if the object of the present restrictions was a justifiable one, they must inevitably be broken through, and it would be better to remove them and bring the intercourse between the two countries under regulation now, than to allow an inconvenient state of things to continue till complications arose and it became impossible. I said that we were aware of the power exercised by the Resident in Tibet, and that we believed that, with the assistance that we were entitled to expect from the Imperial Government in such an object, things could now be put upon a more satisfactory footing. I would therefore ask them, in issuing the passports, to reiterate their instructions to the Resident and to direct him to receive and protect the Mission and assist it in coming to an arrangement with him and the Tibetan Government on the subject of free intercourse between India and Tibet; and to give me a copy of their orders. They rejoined that we could have no doubt of the sincerity of their desire to assist us in every way, seeing that they willingly allow Europeans to travel throughout China proper, and that when the time came for issuing the passports, they would certainly write in this sense and give us a copy of their letter. They added, however, that though the Resident had ofcourse authority in Tibet, he could not wholly control the Tibetans, especially on the frontier, and that passports and a copy of their letter to the Resident would be useless if the Tibetans would not allow us to enter the country. I said that I had occasion in the year 1877, in the course of official duty in the protected State of Sikkim, to visit some of the frontier passes, and that the Tibetan officials who met me had justified the prohibition against the entry of foreigners on the ground that it was the order of the Chinese Government. They replied that the Tibetans had no authority for such an assertion. I said that I had been confronted by a

placard in Chinese characters to which a Chinese seal was affixed. They seemed rather disconcerted by this, and His Excellency Hsu-Yong-I showed me an impression of the Imperial seal and asked if the placard bore such a seal. I replied that I was unable to say whether this was the case or not. They then said that the placard was probably a forgery which the Tibetans were using to suit their own purpose. I went on to observe that last year the Tibetan official who met me at the frontier, and who also referred the prohibition to Chinese authority, wore the button of a Chinese Mandarin of the 5th Class. They said that he was evidently some petty official, who wished to carry out the policy of the Tibetan Government. I said that it was very satisfactory to receive the assurance that the Imperial Government disapproved such proceedings, and that, as I had personal knowledge of the fact that their authority was actually being used as a cover for a measure which they repudiated, they would doubtless issue a proclamation in Tibet and on the frontier declaring that the restrictions on trade and intercourse were not approved by them; and would give me a copy. They said they could not do this, as no direct orders were ever issued by the Imperial government within the jurisdiction of the Resident, but that when the time came for issuing the passports they would write to the Resident as I had first suggested. This brought us back to the question of the immediate issue of the passports, and Mr. O' Conor and I said that we hoped they would promise to issue them at once, and that, as regards the orders to the Resident, I could prepare, for their consideration and for subsequent discussion, a draft of the points on which I should like him to be instructed. They answered that they had not refused, and that they had no intention of refusing, the passports; but that they must first consult the Resident and ascertain that his measures for pacifying the Tibetans had been effectual. Mr. O' Conor then remarked that I had been sent specially to take charge of the passports, and that Her Majesty's Government would be much surprised and disappointed if any difficulty or delay were made. I added that there could be no doubt of the power of the Resident to

carry out the Imperial orders, and that there would be ample time for the orders to reach him and for him to take measures to give them effect before the Mission would reach Tibet. They asked when the Mission would start. I said I could not say this, as nothing definite had been settled beyond my deputation to receive the passports and to represent to Their Excellencies how matters stood regarding India and Tibet. They then said they would like to think the matter over, and after some general conversation, the interview, which had lasted 2½ hours closed.

I may observe, with reference to the attitude of the Ministers at this interview, that I believe that the Chinese Government of the present day have little real knowledge of Tibet and its frontiers, and that it has been the practice to leave matters very much in the hands of the Resident. This is the opinion of Sir Robert Hart, whom they had asked only the day before to prepare for them a sketch map of the Himalayan frontier. It is also to be noted that these four Ministers are perhaps the most disposed of all the members of the Yamen to pursue the old Chinese policy of seeking to avoid difficulties and complications by meeting every application from a Foreign Government with an initial refusal. Later on, as will be seen, a better knowledge of the circumstances and of our objects, and the influence of the Prince and of Li-Hung-Chang brought about an entire change in the attitude of the Government.

6. On 27th October the same four Ministers came to Her Majesty's Legation to return my call. In due course our discussion was resumed. The Ministers announced that the Government had decided to grant me the passport for a Mission to Tibet, though they said they would do so with apprehension I observed that if they would make it clear to the Resident that the Imperial Government concurred in the policy which it would be the object of the Mission to promote, and that it desired the Mission to succeed, and would counteract the effect of the proclamation which I had seen on the frontier by the issue of another proclamation stating that the Mission was entering Tibet under the protection and with the approval of the Imperial Government, there would be no need for apprehension. They said that the

passport itself would counteract the effect of the frontier, proclamation the genuineness of which they again denied as it would contain orders that no opposition was to be offered to the progress of the Mission. I saw that the only way of securing the issue of a proclamation was through the instructions to the Resident, and that it would be useless to press for the issue of an Imperial proclamation. I therefore asked that I might be supplied, as agreed at the last meeting, with a copy of the orders to the Resident, and said that there were certain points on which I should like precise orders to be issued. They replied that it would be contrary to etiquette, as well as useless for practical purposes, to give authenticated copies of the orders, but that they would let us see the orders before they issued. They urged the necessity of the Envoy addressing himself in all matters to the Resident. I said that this was exactly what was contemplated, and that one of the main points to be considered would be the means of securing communication and accord between the Resident and the Envoy from the moment the frontier was crossed. We then repeated the suggestion that I should lay before the Ministers a memorandum of the points on which I considered it necessary that the Resident should be instructed and they agreed to receive such a memorandum and give it their careful consideration. His Excellency Hsu-Yung-I then spoke at length on the subject of missionaries. We knew, he said, what troubles had been brought about, both in China and on the eastern frontier of Tibet, by the presence of missionaries. The Tibetans especially were determined not to admit them, and if they entered the country there would certainly be violent opposition and grave complications. Would we give a declaration that missionaries would not be admitted, I saw that we were on very dangerous ground, and that the only escape from an embarrassing discussion was to exclude all reference to generalities regarding the future. I said that it would be stated in my memorandum that we especially desired that it should be distinctly declared to the Resident, and through him to the Tibetan Government and clergy, that the object of the Mission was purely secular, and that the Envoy would be the bearer of messages of friendship and respect to the

Dalai Lama and the Penchen Irtinni; and I added that I was quite prepared to give an undertaking that no missionary would accompany the Mission. It will be observed that no suggestion was made of any distinction between European and Indian British subjects. We then wound up the interview as rapidly as possible, Mr. O' Conor suggesting that the Ministers should consider my memorandum before our next meeting.

7. I next drew up the memorandum which accompanies this report (enclosure A). I decided to omit from the memorandum, and insert in the draft passport, all details which might possibly lead to dangerous discussion. The Burmese question had at this time arisen, and, though the Ministers had made no reference to it at our last meeting, we thought it best, in the view of possible difficulties arising, to avoid anything likely to delay the conclusion of the negotiations regarding Tibet. Mr. O' Conor agreed with me that the form of the memorandum, dealing separately with (1) the primary instructions to the Resident, (2) the communications to be made to the Tibetan Government, (3) the proclamation at the frontier, and using language as general as was compatible with clearness, was that best calculated to lead to its acceptance as a whole. I had also in view the circumstance that the passport would bear an official seal, whereas the copy we proposed to take of their orders to the Resident would not; and I wished therefore to get as many points as possible referred to in the passport. The suggestion that the Mission should pay direct for all transport and supplies they might require was purposely made by me in view of the notorious oppression practised in this regard by the Chinese officials in Tibet. Nothing could be more hurtful to the popularity of the Mission than that the officials should impose a corvée on the people in connection with it. Mr. O'Conor forwarded the draft passport and my memorandum to the Yamen on 29th October, and on the 6th November the Ministers handed to Mr. Hillier a draft of the passport and a draft of the instructions they proposed to issue to the Resident. These instructions, which had been drawn up by His Excellency Hsu-Yung-I, the most active member of the Yamen and the one most inclined to make difficulties at our first two meetings, were not such as I could accept as satis-

factory. They contained, it is true, the points of detail which I had inserted in the passport, but they omitted the positive declaration of concurrence in our policy which I considered essential, and they made no reference to the issue of proclamations. Mr. O'Conor and I therefore made alterations and additions which included all that was essential in my memorandum (enclosure B). Though the Minister had at our last meeting generally assented to the suggestion that the Resident or Assistant Resident should be sent to meet the Mission, I thought it better not to press this point, as the section of the Yamen's draft relating to the arrangements for informing the resident of the despatch of the mission from Darjeling and for the care of the Mission on arrival, appeared to me to be quite satisfactory. Some alterations were also made in the passport. Mr. O'Conor then applied for an interview, and on 8th November we again visited the Yamen.

8. We were received by His Highness the Prince of Ch'ing, (2) the Grand Secretary Yen, (3) Fu-K'un, Governor of Peking, and (4) Sun-Yu-Wen, Vice-President of the Board of Works and Member of the Grand Council. His Highness received me with the utmost cordiality. Mr. O'Conor handed in a note (enclosure C), based upon my memorandum, with the amended drafts of the passport and of the instructions. On perusing these His Highness at once said that the amended draft would be adopted in its entirety, and that he would cause more to the same effect to be written to the Resident. I thanked His Highness and said that I regarded such an assurance from him as a guarantee of the success of the Mission, as this wholly depended upon a clear and cordial understanding between the Imperial Resident and the British Envoy. I added that I hoped that the outcome would be satisfactory both to China and to India. Mr. O'Conor also said that he would communicate His Highness assurance to Her Majesty's Government. In accordance with the Chinese custom, His Highness then pledged us in a glass of wine as an indication of the satisfactory conclusion of this part of the business. Some points of detail were next discussed. The instructions to the Resident, the Prince said, would go in semi-official

form and not as a decree, as the latter course would involve circulating the papers to all the Members of the Grand Council, and the possible re-opening of the whole discussion. He also said that the seal of the Yamen on the passport was unnecessary and would be unusual. The only seal attached to such documents was that of the Governor of Peking, and this would be quite as effective. We accepted His Highness's assurance on this point. It was then proposed by the Ministers that my memorandum should be returned, as it was no longer required. It seemed to me, however very important that this document should remain on official record, and I urged that it was unusual to return an official document. The Prince assented to its retention, on the understanding that the Yamen were not necessarily bound by it. His Highness then urged the importance of delay in the despatch of the Mission. I repeated that nothing whatever had been settled about the date of despatch, but that, after the assurances given by His Highness, I could guarantee that his views would be met, and that he would have ample time to communicate with the Resident before the departure of the Mission. This very satisfactory interview then came to an end.

9. On 14th November His Highness the Prince came to Her Majesty's Legation to return my call, accompanied by His Excellency Hsu-Ch'ang. Half an hour before their visit, a note (enclosure D) had been received by Mr. O'Connor from the Yamen forwarding the passport (translation, enclosure E). There were two alterations in it from the draft accepted by the Prince at our last meeting, to which I thought it necessary to draw his attention. We had purposely inserted the words Lhasa Potala, in order that it might be clear that the Envoy was to have access, not only to the capital, but to the palace of the Dalai Lama, himself. For these words the single word Tibet had been substituted. The Prince assured me that it was customary in Chinese to use the name of the country only, and that in the passport the word Tibet would necessarily be interpreted to include Lhasa. He also pointed out that the instructions, which, he said, had already been despatched to the Resident, made it quite clear that the business of the Mission

Chinese characters rendered especially valuable the counsel which he was always ready to grant me.

12. It now becomes my duty, in compliance with the instructions separately received from you, to submit my recommendations regarding the action to be taken upon the concessions which have been obtained.

13. The form of the Mission to be despatched to Lhasa must depend upon the view taken by the Government of India of the objects to be promoted. Regarding the commercial results to be obtained by the opening of direct intercourse between India and Tibet across the comparatively low and easy passes of the Sikkim frontier, I observe that some misapprehension appears to exist. A conviction would seem to be attributed to those who support an active policy in this matter that, as soon as the restrictions on intercourse are removed, a great tide of commerce will suddenly begin to flow to and fro between India and High Asia, and that the removal of the artificial barriers which now exist will be like the opening of flood-gates and the release of pent-up waters. Such is not my view. I cannot doubt that there will be a great deal more trade if a three weeks' journey over good roads and easy passes is substituted for a six weeks' journey over bad roads and difficult passes; if moderate duties controlled by convention are substituted for the exorbitant exactions of irresponsible tax farmers; if competition among a keen commercial people is substituted for monopolies; if some outlet is given for resources which are now known to be wasted for the want of it. I cannot doubt that a great deal more English broadcloth and piece-goods and cutlery will be consumed if they are sold at Lhasa at a profit of 20 per cent. Than is consumed when they are sold at a profit of 200 per cent; or that if good Indian tea, prepared so as to suit the taste of the Tibetans, is admitted to Tibet, whence it is now rigorously excluded, and is there offered at lower prices than the worst China tea, it will gradually displace it. But this must be the work of time. Trade does not suddenly leave old channels; existing connections will struggle to maintain themselves; frontier officials will not all at once abandon the abuse of official power. Apart, however, from the local trade of Tibet

proper, I think there is strong evidence of probabilities of a considerable trade with other parts of High Asia. The distance between Lhasa and Darjeeling is less than the distance between Darjeeling and Calcutta; and the intervening passes are low and are always practicable. Huc and Gabet thus speak of Lhasa;- "All is excitement and noise and pushing and competition, every single source in the place being ardently occupied in the grand business of buying and selling. Commerce and devotion incessantly attracting to Lhasa an infinite number of strangers render the place a rendezvous of all the Asiatic peoples, so that the streets, always crowded with pilgrims and traders, present a marvellous variety of physiognomies, continues, and languages." It is known that Russian goods penetrate to Lhasa; it is also known that the Nepalese and Kashmiri merchants do a large trade there at exorbitant rates of profit. I think it may fairly be assumed that if British and Indian goods had free access on favourably terms to this market they would penetrate through it beyond Tibet into all the tracts south of the desert of Gobi. My view, then, regarding the commercial aspect of the case is that, if we can establish intercourse between India and Tibet, there will certainly be a large increase in the trade, but that the increase will be gradual; while, if we allow exclusion to be maintained, there can be no considerable increase.

14. The importance of a scientific examination of Tibet is admitted on all hands, and it is unnecessary for one to meditate upon it. It would, no doubt, at the outset be impolitic to excite suspicion by taking general and detailed observations. But it would be a pity to lose the opportunity of the Mission to make scientific enquiries which could be quietly undertaken without attracting special attention.

15. It is, however, the political importance of such a Mission as is contemplated that to my mind demands the most special consideration. I apprehend that there are few political questions of greater present moment to the Eastern world than the establishment of cordial relations between the two great empires that are chiefly concerned in the maintenance of the peace of Asia against the one great empire that is concerned in

its disturbance. I look upon the despatch of a friendly British Mission to Lhasa as an important link in a great chain by which we should seek to connect the interests that exist in Korea with those that exist in Herat. Throughout Tibet the question is constantly discussed, which of the two great absorbing Powers, the British or the Russian, is destined to supplant the Chinese sovereignty and extinguish the line of the Grand Lamas of Potala. It is undoubtedly the fear that one or other of us will undertake this enterprise that now prompts the maintenance of the policy of exclusion. If we can dissipate this suspicion as regards ourselves by demonstrating to the Tibetans that we seek to annex their friendship only and not their country, the political results throughout High Asia must be very important. By all the tribes that extend from Ladakh to Kiachta the Dalai Lama is venerated as a God, and the influence that he could exercise is incalculable. But I cannot too strongly urge that friendship and confidence at Lhasa must be conciliated with the cordial concurrence of the Chinese. If the tribes of Mongolia owe spiritual allegiance to the Dalai Lama they owe temporal allegiance to the Emperor of China. As I observed in the memorandum which, by His Lordship's desire, I submitted to Lord Randolph Churchill in July last, our political influence in Central Asia would receive an enormous accession if, all misunderstanding and jealousy being removed, a British Envoy and the Chinese commissioners were to meet at the Court of the Dalai Lama, on cordial terms, as the Representatives of two great empires of Asia in alliance. The wounds of Kuldja and the Amoor are still unhealed, and it only remains for us to bring home to the minds of the people the difference between Russian and British policy in Asia to induce a feeling in our favour. But a Mission that visited Lhasa without the approval of the Chinese Government would leave half its task unfinished. Fortunately we now know that the leading statesmen of China regard the question in a favourable light, and if due advantage is taken of the present opportunity we may be able to accomplish that which has hitherto appeared impossible, the establishment of confidence among the Tibetans, with the promotion

of a good understanding with the Chinese power. If the pursuit of our enterprise in Tibet endangered what is of immeasurably superior importance, I should unhesitatingly recommend its postponement to a more favourable opportunity; but I think it is clear that, properly undertaken, it can now be made, not an obstacle, but a valuable auxiliary to the attainment of a great object of Imperial policy.

16. If these views are accepted, I think there can be little doubt on what scale the Mission should be formed. I endeavoured to make it clear in my memorandum of July that such a Mission must be comparatively a costly one, that it would be a fatal mistake to lower the high prestige of the Indian Government in Tibet by sending a Mission which would compare unfavourably with the Embassies from Kashmir and Nepal, and that an officer entrusted with such an undertaking, and bound to persimony, would fail in his object and discredit his Government. I understand that His Lordship the present Secretary of State concurred in this opinion. I need not repeat what I said there of the necessity of liberality in regard to presents, the interchange of which is one of the customs of the country. I may only add that it would be especially necessary to conciliate the Chinese authorities in Tibet. I apprehend, and I may say that Sir Robert Hart also apprehends, that if any difficulty is made, it will be made, not by the Central Government of China, but by the local Chinese officials. I have referred above to the opposition made at Peking by the Ex-Resident Sung. I have also ascertained that the customs duty levied on tea at Darchendo is a provincial receipt of the Governor-General of Szechuen, who exercises a general control over the Resident at Lhasa. I think it is very questionable whether he would recognize any arrangement whereby the Lhasa Government levied an import duty on Indian tea of the Jeylep as likely to provide him or his successor with an equivalent for the direct proceeds of the impost now levied by his own officers. Moreover, the present Resident, Se, has the reputation of being a grasping man (the Tibetans have nicknamed him "Sa-Ampa," the "Eating-Resident"), and it would cost something considerable to satisfy both him and his

superior. The Mission should have a somewhat larger escort than that which accompanied Sir Douglas Forsyth. The circumstances of the two Missions are essentially different. The monks of the monasteries at Lhasa, though practically unarmed, are inclined to be turbulent; and we know that they are our real opponents. A proper escort, by inspiring them with due respect, would prevent any danger of complications at the outset of the negotiations, and I have little doubt that their hostility would afterwards disappear under judicious and liberal treatment.

17. At the various interviews which I had with the Prince and Ministers of the Tsung-Li-Yamen, and subsequently in the course of a conversation with His Excellency the Viceroy of Chili at Tientsin, it was strongly urged that some time should be allowed to elapse before the despatch of the Mission, in order that the Resident might be able to give sufficient force and publicity to the orders of the Imperial Government in regard to it. Though I made it quite clear to Their Excellencies that our Government were resolved to make practical use of the passport in order to despatch a Mission to Lhasa and break down the barriers of exclusiveness and isolation which have hitherto been maintained between Tibet and India, I felt myself justified in assuring them that these measures would be adopted with due regard to the wish they had expressed. No doubt the strict letter of my undertaking given to the Chinese Government in November would be fulfilled if a Mission were to be organised and despatched from India by the end of February. The Resident has, probably by this time, received the orders of the Imperial Government, and he would have ample time to act upon them before a Mission starting in the end of February could reach Lhasa. No doubt, too, there is a possibility of his submitting a report of the opposition which the Mission would encounter, and of the Chinese Government revoking their consent in consequence; and if the Mission could enter Tibet before this occurred, such a manœuvre, on the part of the Resident, would be defeated. After careful consideration, however, I am of opinion that the objections to this course out-weigh any possible advantages to be derived from

its adoption. The attitude hitherto taken up by the Chinese Government in regard to Tibet would, no doubt, justify some misgivings regarding the cordiality of their present concurrence in the policy we desire to promote. But there were many indications in the course of my negotiations that they have made up their minds to accede to the wishes of the British Government, and that they recognized that a Mission would certainly be despatched. Sir Robert Hart, whom I consulted specially on this point, is satisfied that this is the case. In his opinion the Resident will receive no hint to report against the despatch of the Mission, but will be told that the matter has been settled. There are also special circumstances which render it very desirable that there should be some delay in the despatch of the Mission. We are bound to follow the programme which I have accepted and to communicate with the Resident before my Mission enters Tibet. Now during the first two months of the Tibetan year, which will begin on 4th February, Lhasa is the scene of a sort of religious saturnalia; monks from all parts of Tibet flock to the city, the secular Government temporarily retires, and the administration of the police is entrusted to a Provost selected from the great and turbulent monastery of Depung. It was during this period, as I have reported in my memorandum of 19th January 1885, that the quarrel between the monks and the Nepalese traders occurred in 1883. At this time all the elements of bigotry and unrest would be available to our enemies to be worked into a display of fanaticism and hostility. For a British Mission to approach Lhasa during the months of February or March would be to court opposition and difficulty, and in my opinion it would be better not even to despatch a letter to Lhasa during this period. The subject of a projected Mission will doubtless be eagerly canvassed during the approaching festival, and the excitement which the hostile party among the monks will seek to promote should be allowed to expend itself before any step is, taken to confirm it. Not till the festival is concluded and the visitors have dispersed, should there be any indication at Lhasa from us that we are taking measures to carry out the intention attributed to us. On the whole, I should

recommend that the letter announcing to the Resident the date of the intended departure of the Mission should be despatched so as to reach him about 20th April, and that the Mission should leave Darjeeling in the end of May before the breaking of the rains.

I have the honour to be,

Sir,

Your most obedient Servant.

A MEMORANDUM

Their Excellencies the Ministers of the Tsung-li-Yamen having at our last interview intimated their willingness to receive and consider a memorandum of the points on which, in my opinion, definite instructions should be issued to the Imperial Resident in Tibet, I desire to submit, through His Excellency the British Minister, the following outline of what I would propose.

(1) The Resident should be informed that the desire of Her Majesty's Government to establish relations of amity and to promote commerce and general intercourse between India and Tibet, has the full concurrence and support of the Imperial Government, and that it is proposed to despatch a British Mission to Tibet for the purpose of concerting with the Imperial Resident and the Tibetan authorities such measures as will secure the attainment of these friendly and pacific objects. The Resident will learn from the copy of the passport issued by the Imperial Government most of the points on which detailed assistance to the Mission will be required. Meanwhile he should be instructed to take immediate steps to ensure that any preliminary communication which may hereafter be addressed to him by the British authorities, under cover of a special pass to be now furnished by the Tsung-li-Yamen, shall be transmitted to him with all despatch. On being informed of the date on which the

Mission will reach the frontier, he should himself proceed, or depute the Assistant Resident, to meet the Mission at Choombi and escort to Lhassa, and should issue proclamations along the line of route declaring that the Mission is under the special protection of the Imperial Government.

(2) The Resident should lose no time in explaining fully to the Tibetan authorities that the policy of Her Majesty's Government in regard to them is purely friendly and pacific and has the cordial approval of the Imperial Government, that its objects are confined to the establishment of amity and intercourse and the promotion of commerce between India and Tibet, and that the Mission will be exclusively of a secular and commercial character. The Head of the Mission will be the bearer of messages of friendship and respect of the Dalai Lama and the Penchen Irtnni, and no attempt will be made to exercise any sort of interference with the religion or institutions of their country. The Resident should be informed that the Imperial Government have given positive assurances that he will co-operate heartily, and by every means in his power, in the promotion of the policy of Her Majesty's Government and the attainment of its objects; and he should be reminded that the first step towards this end will be to impress distinctly upon the minds of the high officers of the Tibetan administration, and make known to the people at large, that the policy of Her Majesty's Government is identical with that of the Imperial Government, and that it contemplates the promotion of the welfare and happiness of the Tibetan people, with the fullest respect for all their institutions and the fullest recognition of the Imperial authority.

(3) In as much as it has been shown that officers at the frontier have in various ways endeavoured to cause it to be believed that the prohibition against the entry of British subjects into Tibet is enforced by the authority of the Imperial Government, the Resident should take immediate measures to make generally known that all such restrictions are opposed to the wishes and policy of the Imperial Government. With this object he should *issue a proclamation under his official seal* declaring that His Majesty the Emperor of China is on

terms of cordial friendship and alliance with Her Majesty the Queen of England and Empress of India, and that the subjects of Her Majesty are allowed to travel without hinderance in all parts of His Majesty's dominions. Copies of this proclamation should be affixed at all the passes leading to Darjeeling and in the principal towns of Tibet.

(Sd.) COLMAN MACAULAY

PEKING.

The 28th October 1885.

B

Pro. No. 746 Page 12

(Note:— The words in italics are the amendations in the original draft proposed by Messrs. O'Connor and Macaulay and accepted by the Famen).

(TRANSLATION)

Draft letter of instructions to Imperial Resident in Tibet.

November 1885.

We beg to refer Your Excellency to the separate article appended to the Convention executed with the British Minister, Sir Thomas Wade, at Vent'ai (chefoo) in Shantung upon the 13th of September 1876, in which it is stated that, in the event of the British Government sending officers by way of the Indian frontier to Tibet, a letter shall be written in that sense to the Resident in Tibet, and the Resident, having due regard to the circumstances, will depute officers to take due care of the Mission, passports for which will be issued by the Tsung-li-Yamen, that its passage be not obstructed.

We have now to inform you that we have had the honour to receive an official note from the British Representative in Peking, to the effect that the British Government are now about to despatch certain officers, to Tibet by way of India, and he has explained that these officers will make reasonable payment for the necessary supplies and transport, with all

of which they should be furnished as required from time to time, in order to facilitate their progress.

We have drawn up a passport which has been passed on to the Governor of the Metropolitan Prefecture to be stamped and then handed over for the use of the Mission, and we have now to write to Your Excellency requesting you, in reverent obedience to the Imperial Decree earlier issued, to exhort the clerics and people of Tibet, in explicit terms, that they must not be over-suspicious or apprehensive in this matter. You should impress upon those in authority that the Mission is sent to establish relations of amity and to promote commercial intercourse between India and Tibet, and to be the bearers of messages of friendship and respect to the Dalai Lama and the Penchen Irtinni, in all of which objects of it has the full concurrence and support of the Imperial Government. It will be your duty to assist the Mission by every means in your power, and with this end in view, you should issue proclamations at the frontier, and elsewhere if necessary, in order to remove any suspicion that the Chinese Government is unfavourable to the entry of British subjects into Tibet.

You will further make it known to the officials on the frontier that if any letter or despatch from India addressed to Your Excellency reaches them, they must at once pass it on for delivery to you, and that they are not permitted to be dilatory in this regard. You will further send duly qualified officers in advance to the Tibetan frontier to ascertain when the British officers are arriving in Tibet, and to take due care of them.

You will at one and the same time write to the local authorities at the place (or region)
(or place concerned) in question to afford that protection which the Treaty requires and to treat the Mission with courtesy.

The members of the Mission will pay fair and reasonable rates for the transport or supplies they may require on the route, which should be furnished them as they may need them, and no obstruction must be offered or extortion practised.

You will further report to the Yamen the date of the arrival of the Mission in Tibet, and of its departure therefrom.

Post Scriptum

With regard to the wish of the Mission to consider the question of inter-national trade, we further hope that you will hold preliminary consultation with them, in order to remove existing prohibitions against intercourse with India, having due regard to local circumstances and conditions, the chief end to be borne in view being that to be satisfactory the arrangements must be such as to benefit both parties.

C

Peking.

Dated 7th November 1885.

From:— N.R. O'CONOR, Esq.,

To:— The Prince and Ministers.

In compliance with instructions received from his Government, Her Majesty's Charge d' Affaires has the honor to apply to the Chinese Government for passports, in conformity with the separate Article of the Chefoo Convention for a British Mission proceeding across the India frontier to Lhasa in Tibet, and to request that they will call upon the Resident in Tibet to send competent officers in the frontier to take due care of the Mission and to take all necessary steps to ensure that its passage be not obstructed.

The object of the Mission is to establish relations of amity and to promote commercial intercourse between Tibet and India, and will not interfere with the religion or institutions of the country, inasmuch as it is of a Purely secular and commercial character.

Her Majesty's Charge d'Affaires avails himself, &c.

D
(Translation)

Tibet Mission from India to—Forwarding passport,

Peking.

13th November 1885.

Prince and Ministers of the Yamen to Mr. O'Connor.

The Prince and Ministers of the Tsung-li-Yamen have the honor to acknowledge the receipt, on the 7th instant, of a note from Her Britannic Majesty's Government to apply for Passports for a Mission from India to Tibet, in conformity with the separate Article of the Chefoo Convention. Her Britannic Majesty's Charge d'Affaires added that the objects of the Mission being connected solely with the question of intercourse between the two countries, it would not interfere in any way with the religion or institutions of Tibet.

The Yamen have written to the Imperial Resident in Tibet calling upon him to depute officers to take care of the mission and to afford the protection required by Treaty. He was further told that if there was a wish to discuss commercial questions he was, having due regard to the circumstances, to consider this matter with the Mission in the first instance.

The passport drawn up by the Yamen having been sent to the Governor of the Metropolitan Prefecture to be stamped, they have now the honor to forward it with this reply to Her Britannic Majesty's Charge d'Affaires with a request that he will deliver it to Mr. Macaulay.

A necessary communication addressed to Mr. O'Connor, Her Britannic Majesty's Charge d'Affaires.

Kuang Hsu, &c., 11th year, 10th Moon, 8 day.

(Sd.) W.C.H.

E
(Translation)

Passport for Indian Mission to Tibet.

The Imperial Chinese Foreign Office in the matter of the issue of a passport.

Whereas it is provided in the separate Article appended to the Chefoo Convention that in the event of the British Government sending officers by way of India to Tibet, the Chinese Government, on the receipt of a communication from the British Minister to that effect, will write to the Chinese Resident in Tibet, and the Resident, having due regard to the circumstances, will send officers to take due charge of the Mission, and passports for the Mission will be issued by the Tsung-li-Yamen that its passage be not obstructed.

And whereas an official note has now been received from the British Representative in which he states that Mr. Macaulay and others are now being sent to Tibet, an official communication has accordingly been sent to the Resident in Tibet calling upon him, with due regard for the circumstances, to depute officers to take care of the Mission, and it further becomes the duty of the Yamen to issue a passport.

All the local authorities concerned are hereby enjoined in positive terms to afford due protection to the British officer, Mr. Macaulay, and those with him upon their arrival, and to treat them with courtesy. They are not to be detained at any places they may pass, nor are difficulties of any kind to be placed in their way.

For this purpose a passport is issued.

A necessary passport issued to the British officer, Macaulay and those with him.

Kuang Hsu, 11th year, 10th, moon (November 1885).

(L.S.)

Seal of Governor of Metropolitan Prefecture.

F

Peking.

Dated 18th November 1885

From:—N.R. O'Connor, Esq., Her Britannic Majesty's Charge d'Affaires at Peking.

To:—His Highness Prince Ch'ing and the Ministers of the Tsung-li-Yamen.

Her Majesty's Charge d'Affaires has the honour to acknowledge the receipt, on the 14th instant, of a note from His Highness and Their Excellencies enclosing the passport for an official Mission from India to Tibet, the issue of which was requested in his note of the 7th instant.

In thanking His Highness and Their Excellencies for the passport in question, Her Britannic Majesty's Charge d'Affaires has the honor to state that when reporting the receipt of it to Her Majesty's Government, he forwarded a copy of the amended instructions to the Resident in Tibet, which the Prince and Ministers were so good as to promise should be sent to His Excellency. He further recorded the obligations he was under to the Yamen for the cordial sympathy they displayed in the objects of the Mission and the assistance they promised to its members through the agency of the Imperial Resident.

With regard to the omission of the word "Lhasa" from the passport, Her Britannic Majesty's Charge d'Affaires accepts the verbal assurance of His Highness, given him upon the 14th instant, that the word "Tibet" implies full liberty to the Mission to proceed to the capital of the country.

Her Britannic Majesty's Charge d'Affairs avails himself, &c. &c.,

G

Peking.

Dated 24th November 1885.

From:—N.R. O'Connor, Esq., Her Britannic Majesty's Charge d'Affaires at Peking.

To:—The Prince and Ministers of Tsung-li-Yamen.

Mr. O'Connor presents his compliments to the Prince and Ministers of the Yamen and begs to inform them that he has been requested by Mr. Colman Macaulay, who left Peking this morning, to state that it was his wish to call upon His Highness and Their Excellencies in order to take leave of them and express the obligations he is under to the Prince and

Ministers for the consideration and courtesy that has been shown him in connection with the recent negotiations for the issue of passports for the official Mission it is proposed to send from India and Lhasa. Knowing, however, that His Highness and Their Excellencies have numerous calls upon their time, Mr. Macaulay decided that it would not be right that he should trespass upon their leisure for the gratification of his private inclinations. He has accordingly requested Mr. O'Connor to communicate his farewells and acknowledgements to the Yamen by letter.

H

Translation of letter from the Secretary to the Government of India, to the Imperial Resident in Tibet, announcing the date of the departure of the Mission from Darjelling.

The Secretary to the Government of India presents his compliments to the Imperial Resident in Tibet, and has the honour to inform His Excellency that in compliance with arrangements made with the Prince and Ministers of the Tsung-li-Yamen in Peking, the Government of India are about to despatch an official Mission to Lhasa.

This Mission, which will consist of officers and their following, proposes to leave Darjelling on reaching the Jeylep Pass on the Tibetan frontier some days later.

The Secretary to the Indian Government has therefore the honor to request that His Excellency will, in conformity with the promise made on his behalf by the Prince and Ministers of the Tsung-li-Yamen, despatch competent and trustworthy officers to be in waiting at the frontier at the date named, in order to accompany the Mission to Lhasa.

It is further requested that His Excellency will cause the Mission to be furnished with supplies, transport and all other necessities along the line of route, for payment will in every instance be made to the vendors.

The Secretary to the Government of India avails himself of this opportunity to convey to His Excellency the assurance of his high consideration.

X

Foreign Deptt, Sec-E. July 1886, Nos. 652-733

Subject :—Negotiations with China respecting Upper Burma—
Decennial Missions from Burma to China,—Arrest
of British Mission to Tibet.

‘SECRET’

Peking. Dated 1st June 1886.

From :—N.R. O’CONOR, Esq., Her Majesty’s Charge d’
Affaires at Peking.
To :—Earl of ROSEBURY.

With reference to my despatches Nos. 177 and 178 of the 30th and 31st ultimo, and No. 181 of this day’s date, I have the honour to report that I called by appointment at the Tsung-li-Yamen yesterday, and was received by the Prince and five of the Ministers.

After the interchange of the usual introductory remarks, I referred His Highness and their Excellencies to their Note of the 29th of May, with regard to the Tibetan Mission, upon which subject I said I would be glad of further information.

The Prince replied that the Note contained nearly all the information there was to give. The Resident had reported the temper of the Tibetans to be such that he felt positive trouble would arise if the Mission went forward, and the Yamen felt bound therefore to request that its departure should be postponed. I would remember His Highness added that, when Mr. Macaulay was in Peking, it was arranged that the Mission should not start until the Resident in Tibet had announced that the way was clear.

This I replied was not precisely the arrangement as I understood it. Assurances, were, it is true, given that the time would be allowed for the Yamen to communicate with the Resident, and as eight months had now elapsed, this condition had been more than fulfilled. The Note of the Yamen had caused me,

I said, much disquietude for I did not see how I could possibly lay their request before Her Majesty's Government in its present form. The moment was most inopportune. The Chefoo Convention was on the eve of being ratified, and Her Majesty's Government might justifiably receive with extreme surprise at this moment a request to forego one of the distinct provisions of that convention. The Chinese Government, if I might say so, had shown themselves hard to please in the matter of Burma, and it was a personal disappointment to myself to have to relinquish the charge of British interests, not only with the feeling that the Burmese question was no nearer to a solution, but that I had to report a non possumus on the part of the Chinese Government in the matter of Tibet in the face of distinct Treaty provisions and verbal assurances on the faith of which preparations had been made and the Mission was on the point of departure. I would not conceal from His Highness and Their Excellencies that ready as Her Majesty's Government had shown themselves to be to carry out the wishes of China in every respect, I felt sure that the request I was now asked to convey, unsupported by any relieving clause, would be received with extreme disfavour, and would, it was more than likely, be met with the reply that it was now too late. As an instance of the manner in which Chinese susceptibilities had been consulted in Burma, I mentioned that, in accordance with what Her Majesty's Government knew would be the wish of China, the Viceroy of India had undertaken to consider most attentively the possibility of the appointment of a Burmese archbishop or chief of the Buddhist hierarchy, with a view to placing the Buddhist religion on a firm foundation, and preventing the disintegration, which some persons fancied would follow on the removal of the supreme head of the Buddhist Church.

In Tibet, I said, every step we proposed to take had been referred to the Chinese Government, and on hearing recently through the Grand Secretary Li that alarm was being created in Tibet at the rumoured size of the escort of the Mission, I had telegraphed the fact to the Viceroy of India who replied that its numbers had been reduced to a small following. This

information had been communicated to the Grand Secretary Li Hung-chang.

The Prince replied that the Grand Secretary had informed them of the numbers of the escort fixed by the Viceroy of India, but that they had sent him continued, the friendliness of the motives which had dictated the remarks I had just made, and of the sincerity of which I had earlier given proof. He and his colleagues were animated by equally friendly sentiments, and it was these that dictated the caution they had urged in the despatch of the Tibetan Mission. Though the Burmese question was a matter apart, as I had alluded to it, he might say that he saw no reason why it should not soon be settled as both Governments were actuated by such friendly sentiments. Indeed it might probably be closed at once if the Buddhist archbishop were allowed to present the usual tribute.

As regards the Tibetan Mission, the Resident had informed the Yamen that, amongst numerous objections raised by the Tibetans, the two principals were, first, that they felt very strongly on the subject of their religion and refused to believe that the British, whom they knew to be strong supporters of Christianity, would fulfil their promise not to interfere with the religion of their country. Second, with the recent example of Burma before them, they feared that a similar fate would eventually befall their country if they entered into commercial relations with a European Power. The Yamen were convinced that, if the Mission went forward at present, it would be attacked, and they felt equally certain that the British Government would not submit quietly to any outrage upon their officers. Tibet was a portion of China, not a tributary, be it understood, and the Chinese Government would assuredly have something to say were reprisals undertaken against the Tibetans. This might easily lead to a breach of comity, which would not only dispose finally of any understanding about the right of travel in Tibet, but would place the settlement of the Burmese question further off than ever.

So apprehensive were the Chinese Government of such a catastrophe that they would be willing to make even further concessions than they had already made in the matter of Burma if they could induce the British Government to forego the

Tibetan Mission, for the present at least, if not to postpone it indefinitely. Indeed it might be possible to come to an immediate understanding about Burmese if the British Government would cancel the Tibetan Mission clause of the Chefoo convention.

I replied that I was appreciative of the open and friendly manner in which His Highness had spoken to me, the more that his proposal to settle the Burmese question coincided with a thought that had suggested itself to me while considering how I could possibly reconcile the request of China in the matter of Tibet with what I knew were the wishes of England. It seemed unnecessary for me to combat to His Highness the groundless fear expressed by the Tibetans, but as a proof of my readiness to meet the wishes of the Yamen as far as was consistent with the interests I was entrusted to watch, I was prepared to ask Her Majesty's Government if they would consent to delay the departure of the Tibetan Mission if I could assure them that this concession would be reciprocated by some preliminary agreement on the part of China with regard to Burma.

It had occurred to me that as the arrangement which Her Majesty's Government had declared themselves ready to make, and that which the Chinese Government were prepared to accept so nearly approached each other, a slight concession on either side would enable an understanding about Burma to be arrived at. I then produced a copy of the Draft Agreement which was embodied in my telegram No. 26 of this day's date observing that I was acting without authority in submitting these proposals, which were of course subject to the ultimate approval of Her Majesty's Government. This the Prince and Ministers said that they perfectly understood; they were themselves in a precisely similar position. The agreement was read to the Prince and Ministers in translation by Mr. Hiltner, and listened to with marked attention. After asking one or two questions as to the wording of certain passages, they stated that so important a matter as this could not of course be settled off-hand, but would have to be carefully considered. Meanwhile they hoped I would send a telegram to the Viceroy of India, requesting His Excellency to defer the departure of the

Mission. To this telegram, I might add a statement to the effect that an understanding might possibly be come to on the Burmese question.

I replied that my objections to telegraphy to Her Majesty's Government were equally strong in the case of India, and that I considered the reference to Burma was of too general a character to have any good effect.

I need not trouble Your Lordship with the details of the further discussion that ensued. It will be sufficient to say that finally agreed to send a private telegram to the Viceroy of India to ask if the Mission could now be delayed, and that the Prince and Ministers undertook to submit to the throne the terms of my suggested agreement respecting Burma and to see me again on the 4th instant.

'SECRET'

Translation of a letter from the Prince and Ministers, of the Tsungli Yamen, to Mr. O'CONOR, dated 29th May 1886.

The Prince and Ministers of the Tsungli Yamen have the honour to inform Her Britannic Majesty's Charge d'Affaires that, on the 21st of May 1886, they received a despatch from the Imperial Resident in Tibet to the following effect:-

"I am in receipt of your letter in which you inform me that certain Englishmen propose to enter Tibet by way of India to travel there, and call upon me to inform you in reply with all promptitude whether or no the Tibetans can (be made to) acquiesce, and whether the action taken with that object has made any tangible progress."

"I have to report with regard to the proposal of Englishmen to enter Tibet by way of India that competent officers had been earlier deputed to ply the Tibetans with emphatic exhortation, but their temperament is unhappily so determined that, in spite of advice and command persisted in for several months, they continue to refuse to obey. In the petitions presented by them, they state that in Tibet the 'Yellow Faith' is conformed to, and they have registered a vow that they will not have a foreigner enter their territory. If the foreigners insist upon coming, their only alternative is to oppose them to the death."

"My observation of the conditions of Tibet convinces me that the people are impossible of persuasion, and that if the English incontinently enter Tibet, trouble will certainly ensue. I therefore request that you will write officially that The visit to Tibet should be postponed."

The Yamens have to observe that the Tibetans are pertinacious by disposition, and the whole of them are of one mind in this matter. Although they have been paid with exhortation time and again, they swear that death shall not

change them from their intention, and under these circumstances it is impossible to use compulsion."

When Her Britanic Majesty's Charge d'Affaires visited the Yamen with Mr. Macaulay on the 16th of October last, it was said that the reply of the Resident in Tibet should be awaited, and in view of the terms of the despatch from Tibet now received, the Yamen really feel uneasy lest an ill-advised visit to the country should give rise to complications. They have, therefore, to express a positive hope that Her Britannic Majesty's Charge d'Affaires will write to Mr. Macaulay to postpone for the time being his entry into Tibet, in order that trouble may be avoided.

This is of the utmost importance. A communication addressed to Mr. O'Connor, Her Britannic Majesty's Charge d'Affaires.